

State of Missouri



Public Defender Commission

Annual Report

Fiscal Year 1999

Assuring the Public Defense
The Right to Counsel and the State Public Defender System in Missouri

J. Marty Robinson
State Public Defender, Director

Kathleen L. Jones
Comptroller/Legislative Liaison

September 30, 1999

Missouri State Public Defender System

Director's Office

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MEMORANDUM

TO: Governor Carnahan
Chief Justice Price
Members of the General Assembly
Presiding Judges

FROM: J. Marty Robinson, Director; and
Members of the State Public Defender Commission



DATE: September 15, 1999

RE: Fiscal Year 1999 Annual Report

It is with great pleasure we present to you this Annual Report of the Missouri State Public Defender System for the fiscal year ended June 30, 1999.

For the third time in the past five years, the Missouri State Public Defender System disposed of more cases than it was assigned. Total dispositions were 74,570, up slightly from 74,495 cases in FY98. Total case assignments were 73,738, down 3.6% from the 76,462 cases assigned the previous year. The small decrease in statewide assignments is certainly welcomed, but it is of little help to many rural public defender offices.

Most rural public defender district's caseloads have increased dramatically since FY96. Increases of 20, 30, 40 % and higher are common. This trend bears watching as we struggle with issues such as recruitment, retention, increased staffing and greater office space needs in out-state Missouri public defender offices.

This year's annual report has again incorporated historical caseload information on a county by county basis. Since most public defender offices serve multiple counties, this section allows the reader to see at a glance caseload trends in any particular county. We have also added caseload information on a district by district basis, allowing the reader to easily see caseload trends in individual public defender offices.

This year the Missouri Public Defender Commission and the Office of State Public Defender will continue to give a high priority to securing adequate, efficient office facilities in all public defender offices. Increasing caseloads and the resulting need for increased staffing in rural, multi-county districts will further exasperate the problems associated with housing Missouri's public defenders. Consequently, we once again propose and recommend a change to RSMo 600.040.1 that would make providing office space for the State Public Defender a state obligation, rather than a county obligation.

We hope you find this annual report informative, interesting and useful in understanding our integral role in Missouri's criminal justice system. Fiscal year 1999 was a successful one for Missouri's Public Defenders, providing the best possible indigent defense system within the limits of our funding. We look forward to reporting to you again next year with an even more successful fiscal year 2000.

Thank you for your interest and support of our Department.

Public Defender Commission

Annual Report – Fiscal Year 1999

I. The Public Defender System

In response to the guarantee of effective assistance of counsel contained in both the United States and Missouri constitutions, the Missouri State Public Defender System was established on April 1, 1982 as a "system for providing defense services to every jurisdiction within the state by means of a centrally administered organization having a full-time staff." Through this Department of State government, constitutionally required defense services are provided to eligible persons. This is accomplished through an organized program capable of responding to the needs of all judicial jurisdictions within the state in an efficient, cost-effective manner.

Until 1989 defense services in many parts of the state, usually rural areas, were provided by private attorneys who had contracted with Missouri's Public Defender System to provide such services to the indigent accused. In fiscal 1990 and 1991, the Missouri State Public Defender System was reorganized and the contract system of providing services was eliminated. Contract counsel were replaced by State Public Defender District Offices.

Today, the Missouri State Public Defender is organized into three legal service divisions, which include The Trial, Appellate, and Capital Divisions. The Trial Division (a map detailing the trial district offices can be found at the end of this report) provides legal services at the trial level throughout the state and is subdivided into thirty-five district offices. The Appellate Division, which provides legal services for cases in the Appellate and Supreme Courts and with post-conviction matters in the trial courts, has offices in Kansas City, St. Louis, and Columbia. The Capital Division, which provides representation in cases at trial and on appeal where the death penalty is being sought by the prosecution, has offices in Kansas City, St. Louis, and Columbia.

Every attorney in the Public Defender system handles cases representing Missouri's indigent accused of crimes. Management has been reduced to a minimum in order to maximize efficient use of the state's resources.

Mission Statement

The mission of the Missouri State Public Defender System is to provide high quality, zealous advocacy for indigent people who are accused of crime in the State of Missouri.

The lawyers, administrative staff, and support staff of the Public Defender System will ensure that this advocacy is not compromised.

To provide this uncompromised advocacy, the Defender System will supply each client with a high-quality, competent, ardent defense team at every stage of the process in which public defenders are necessary.

II. What Does a Public Defender Do?

Every Missouri Public Defender is an attorney, licensed to practice law in the State of Missouri. When an individual is accused of a crime and requests a lawyer, a referral is made to the public defender office handling the cases in the county where the charge has originated. After an accused makes application for public defender services, the public defender makes a determination using financial guidelines established by the State Public Defender Commission as to whether or not the accused is indigent and eligible for public defender representation. If the accused is found eligible by the defender, the defender undertakes representation of the accused. If the defender does not find the accused eligible, the accused may appeal the defender's determination to the court. Only then, and only if the court disagrees with the defender's determination, may court order the defender to represent the accused.

In most jurisdictions, the public defender is the legal counsel for 75-80% of the cases on the criminal docket. The process of representing the indigent accused includes representing the client in all facets of the case. Defenders must interview witnesses, file for discovery, prepare and file required motions, negotiate with the prosecution, prepare trial strategy and do the legal research necessary to provide representation to the client in a court of law. Representation of the accused extends to an appeal if, after the trial, the defendant is found guilty.

Using data from fiscal year 1999, a composite example of a "typical defender" can be developed. The "typical defender" will close 239 cases in the course of one year. This means the defender must dispose of an average of one case each workday to insure successful management of the cases assigned. Approximately 94 of the cases assigned to the "typical defender" in a year are felonies. The breakdown by category of cases handled by the "typical defender" is presented on the following page.

FY99 State Public Defender System-Wide Composite Public Defender	
Description	# of Cases
Homicide	1
A-B Felony	21
C-D Felony	73
Misdemeanor	76
Juvenile	15
Post Conviction Relief	3
Probation Violations	47
Appeals	3
Total Average Case Per System Attorney	239

Given the workload of our "typical defender," the demand on attorney time is greater than ever. The average Public Defender provides representation in 239 cases each year; more than one per day every work day of every week for the entire year. Providing effective assistance of counsel in each case demands a well-trained, highly experienced corps of dedicated attorneys and support staff.

Recent salary increases have greatly improved attorney retention. Attorney turnover has been reduced from 20% per year to approximately 7%. The more experienced and better trained public defenders have been able to handle more cases and more complex caseloads.

III. Caseload and Cost Highlights

A. Caseload

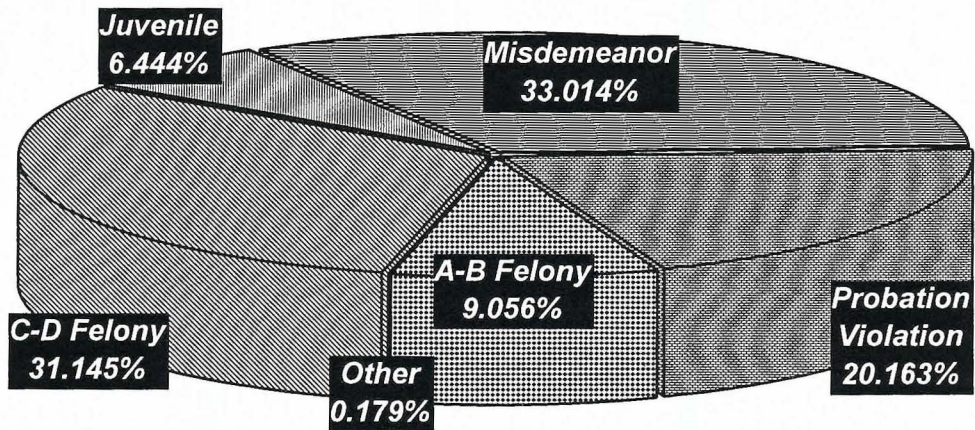
1. New Cases

The State Public Defender System's Trial Division opened 71,700 new cases in Fiscal Year 1999. The greatest number of cases are reflected in the felony and misdemeanor caseloads.

Felony Cases Opened	28,824 or 40.20% of the total caseload
Misdemeanor Cases Opened	23,671 or 33.01% of the total caseload
Juvenile Cases Opened	4,620 or 6.44% of the total caseload

FY99 Trial Division Opened Cases by Case Type		
	Description	# of Cases Represented
10	Murder – Death Penalty	9
15	Murder – 1 st Degree	118
20	Other Homicide	105
30	A-B Felony	6,261
35	C-D Felony	22,331
40	Misdemeanor	17,841
45	Misdemeanor – Traffic	5,830
50	Juvenile – Status	896
52	Juvenile – Criminal	3,724
54	Post Conviction Relief Rule 24 & Rule 29	4
60	Chapter 552	76
61	Sexual Predator Hearings & Trials	9
65	Probation Violation	14,457
75	Writ	27
80	Appeal	5
82	Direct Appeal	7
	Total Trial Division Assignments	71,700

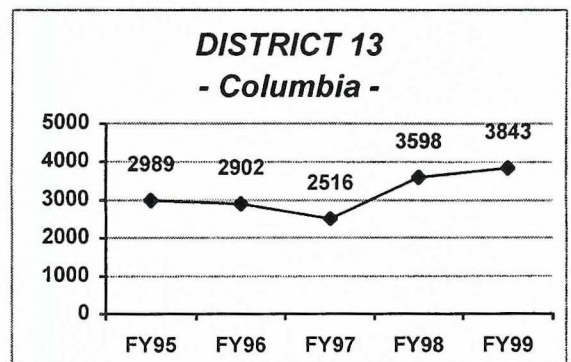
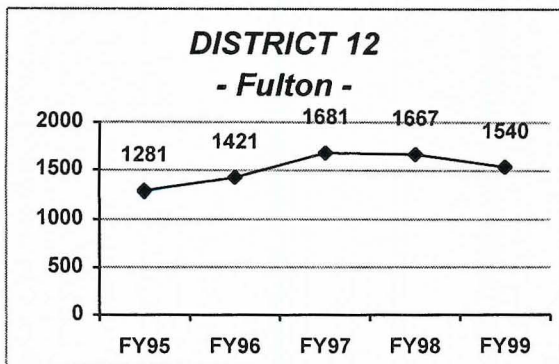
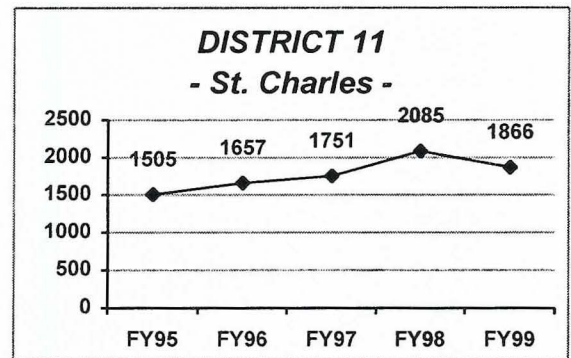
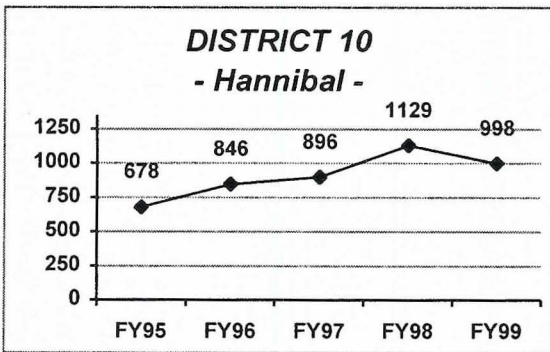
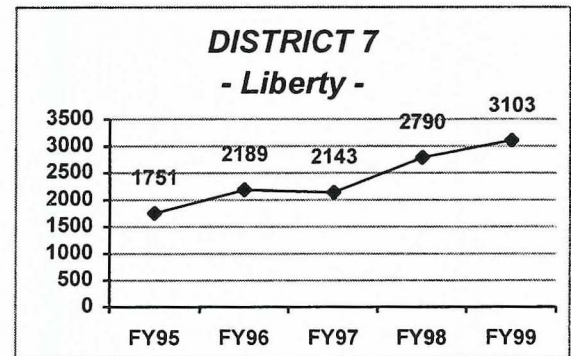
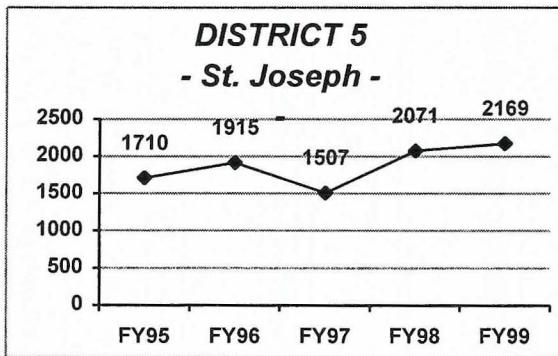
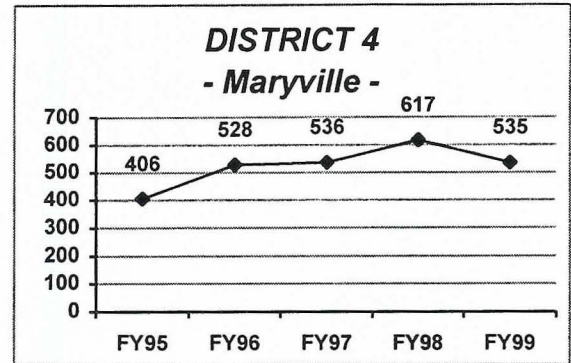
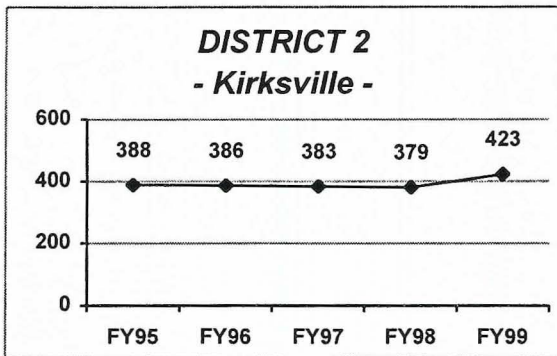
**FY99 - Trial Division
Opened Cases by Case Type**



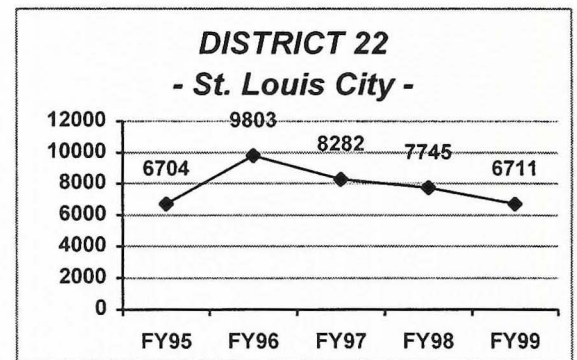
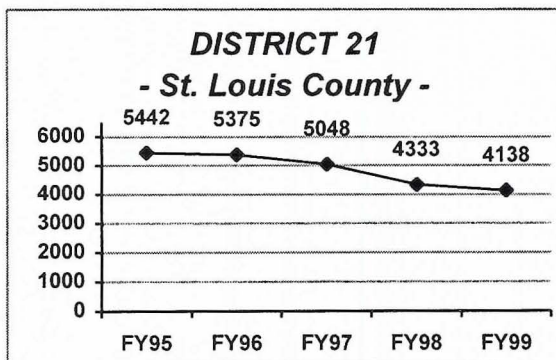
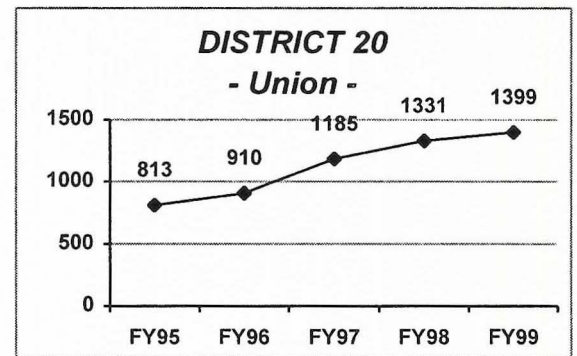
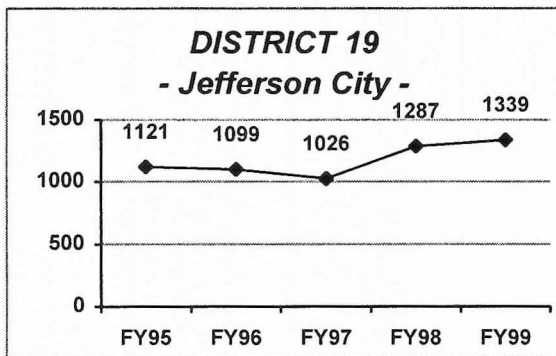
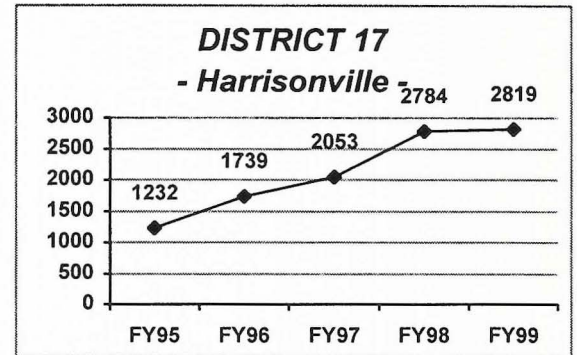
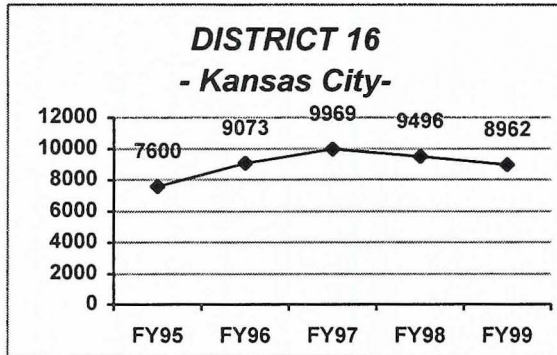
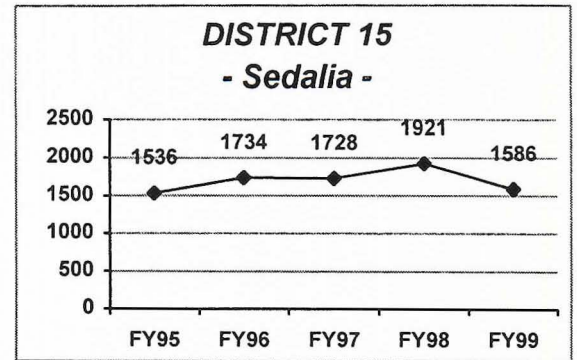
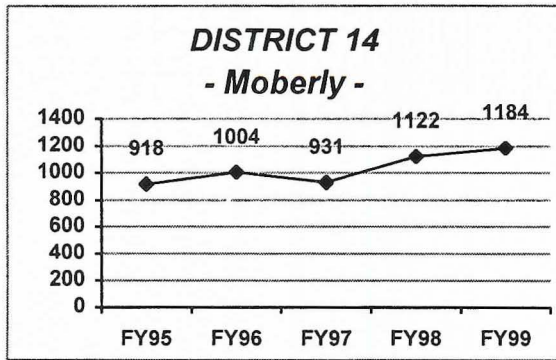
**TRIAL DIVISION CASE ASSIGNMENTS
FISCAL YEAR COMPARISONS - FY96 to FY99
BY DISTRICT**

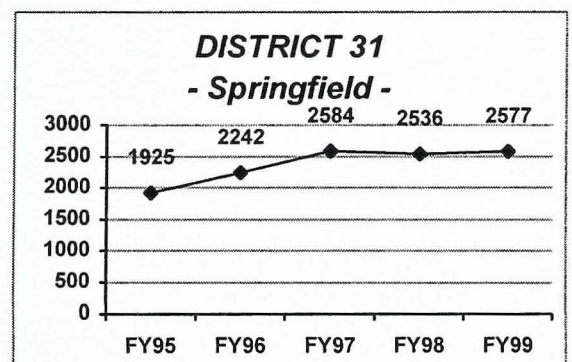
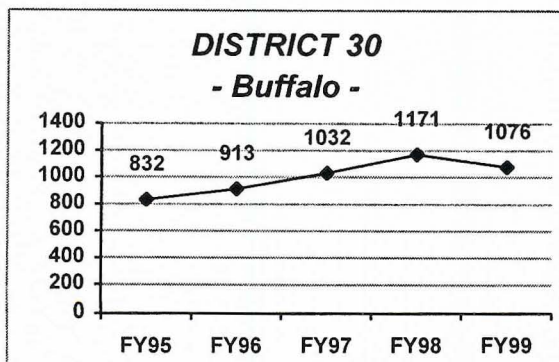
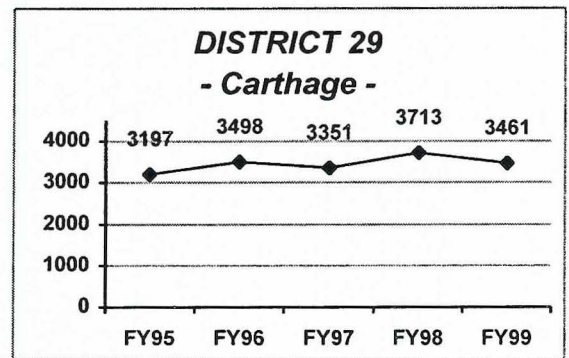
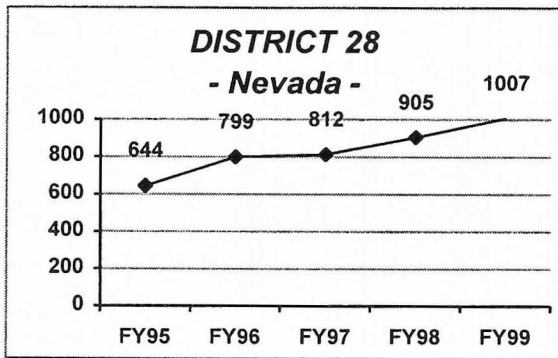
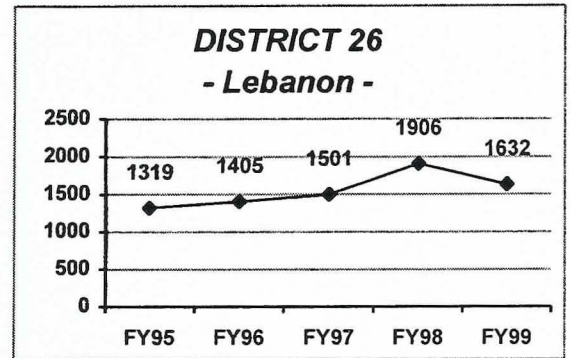
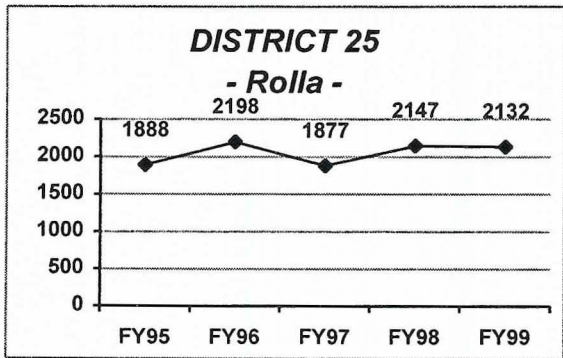
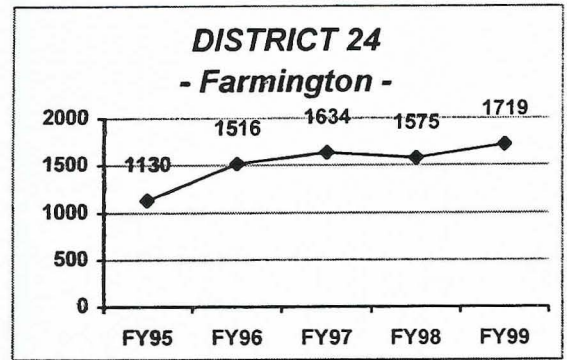
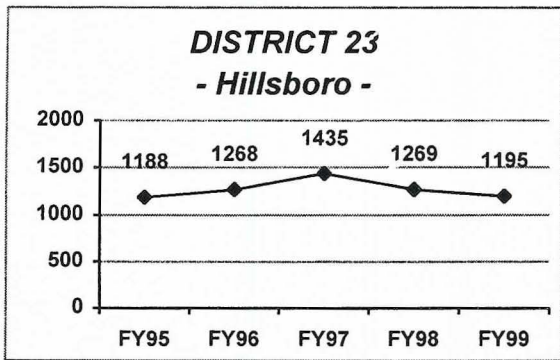
District #	District Name	FY96 Cases Assigned	FY97 Cases Assigned	# Change 96 to 97	% Change 96 to 97	FY98 Cases Assigned	# Change 97 to 98	% Change 97 to 98	FY99 Cases Assigned	# Change 98 to 99	% Change 98 to 99	# Change 96 to 99	% Change 96 to 99
1	St. Louis Juvenile	0	1,624	1,624	*	1,626	2	0.12%	1,919	293	18.02%	1,919	*
2	Kirksville	386	383	(3)	-0.78%	376	(7)	-1.83%	423	47	12.50%	37	9.59%
4	Maryville	528	536	8	1.52%	617	81	15.11%	535	(82)	-13.29%	7	1.33%
5	St. Joseph	1,915	1,507	(408)	-21.31%	2,071	564	37.43%	2,169	98	4.73%	254	13.26%
7	Liberty	2,189	2,143	(46)	-2.10%	2,790	647	30.19%	3,103	313	11.22%	914	41.75%
10	Hannibal	846	896	50	5.91%	1,129	233	26.00%	998	(131)	-11.60%	152	17.97%
11	St. Charles	1,657	1,751	94	5.67%	2,085	334	19.07%	1,866	(219)	-10.50%	209	12.61%
12	Fulton	1,421	1,681	260	18.30%	1,667	(14)	-0.83%	1,540	(127)	-7.62%	119	8.37%
13	Columbia	2,902	2,516	(386)	-13.30%	3,598	1,082	43.00%	3,843	245	6.81%	941	32.43%
14	Moberly	1,004	931	(73)	-7.27%	1,122	191	20.52%	1,184	62	5.53%	180	17.93%
15	Sedalia	1,734	1,728	(6)	-0.35%	1,921	193	11.17%	1,586	(335)	-17.44%	(148)	-8.54%
16	Kansas City	9,073	9,969	896	9.88%	9,496	(473)	-4.74%	8,962	(534)	-5.62%	(111)	-1.22%
17	Harrisonville	1,739	2,053	314	18.06%	2,784	731	35.61%	2,819	35	1.26%	1,080	62.10%
19	Jefferson City	1,099	1,026	(73)	-6.64%	1,287	261	25.44%	1,339	52	4.04%	240	21.84%
20	Union	910	1,185	275	30.22%	1,331	146	12.32%	1,399	68	5.11%	489	53.74%
21	St. Louis County	5,375	5,048	(327)	-6.08%	4,333	(715)	-14.16%	4,138	(195)	-4.50%	(1,237)	-23.01%
22	St. Louis City	9,803	8,282	(1,521)	-15.52%	7,745	(537)	-6.48%	6,711	(1,034)	-13.35%	(3,092)	-31.54%
23	Hillsboro	1,268	1,435	167	13.17%	1,269	(166)	-11.57%	1,195	(74)	-5.83%	(73)	-5.76%
24	Farmington	1,516	1,634	118	7.78%	1,575	(59)	-3.61%	1,719	144	9.14%	203	13.39%
25	Rolla	2,198	1,877	(321)	-14.60%	2,147	270	14.38%	2,132	(15)	-0.70%	(66)	-3.00%
26	Lebanon	1,405	1,501	96	6.83%	1,906	405	26.98%	1,632	(274)	-14.38%	227	16.16%
28	Nevada	799	812	13	1.63%	905	93	11.45%	1,007	102	11.27%	208	26.03%
29	Carthage	3,498	3,351	(147)	-4.20%	3,713	362	10.80%	3,461	(252)	-6.79%	(37)	-1.06%
30	Buffalo	913	1,032	119	13.03%	1,171	139	13.47%	1,076	(95)	-8.11%	163	17.85%
31	Springfield	2,242	2,584	342	15.25%	2,536	(48)	-1.86%	2,577	41	1.62%	335	14.94%
32	Cape Girardeau	2,275	2,077	(198)	-8.70%	2,459	382	18.39%	2,237	(222)	-9.03%	(38)	-1.67%
34	Caruthersville	977	556	(421)	-43.09%	1,106	550	98.92%	887	(219)	-19.80%	(90)	-9.21%
35	Kennett	1,198	1,477	279	23.29%	1,265	(212)	-14.35%	1,522	257	20.32%	324	27.05%
36	Poplar Bluff	1,481	1,350	(131)	-8.85%	1,579	229	16.96%	1,460	(119)	-7.54%	(21)	-1.42%
37	West Plains	545	557	12	2.20%	656	99	17.77%	642	(14)	-2.13%	97	17.80%
39	Monett	1,586	1,595	9	0.57%	1,905	310	19.44%	1,880	(25)	-1.31%	294	18.54%
43	Chillicothe	1,462	1,728	266	18.19%	1,945	217	12.56%	1,702	(243)	-12.49%	240	16.42%
44	Ava	460	543	83	18.04%	616	73	13.44%	525	(91)	-14.77%	65	14.13%
45	Troy	578	676	98	16.96%	777	101	14.94%	816	39	5.02%	238	41.18%
47	Springfield Conflicts	511	350	(161)	-31.51%	441	91	26.00%	0	(441)	-100.00%	(511)	-100.00%
49	St. Louis City Conflicts	866	838	(28)	-3.23%	761	(77)	-9.19%	696	(65)	-8.54%	(170)	-19.63%
Total Trial Division Assignments		68,359	69,232	873	1.28%	74,710	5,478	7.91%	71,700	(3,010)	-4.03%	3,341	4.89%
		FY96		FY97		FY98			FY99			FY96 to FY99	

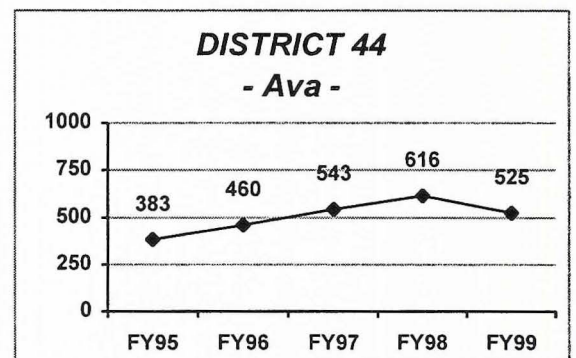
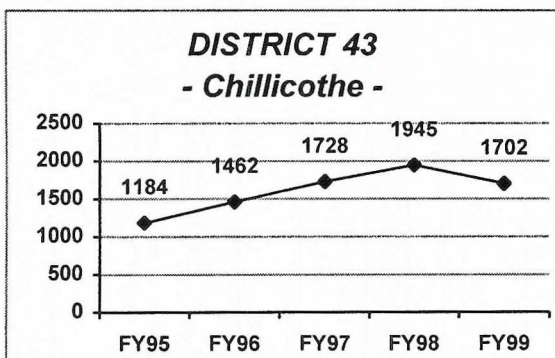
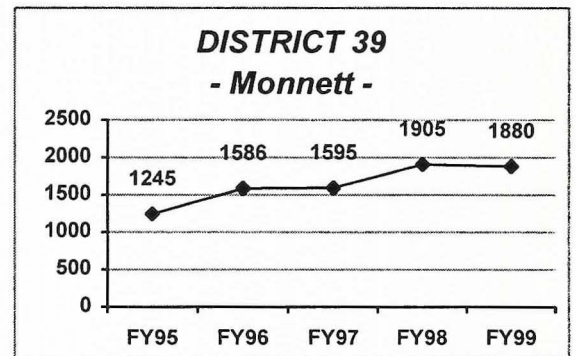
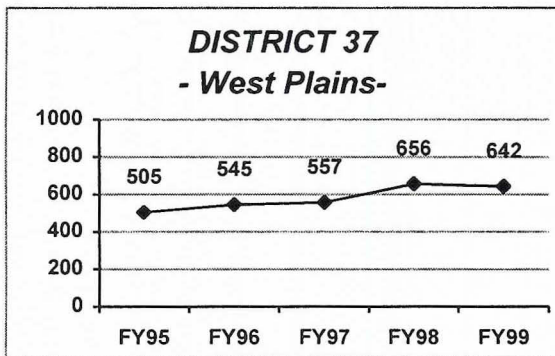
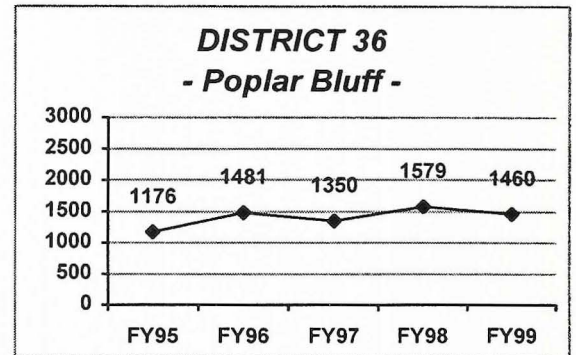
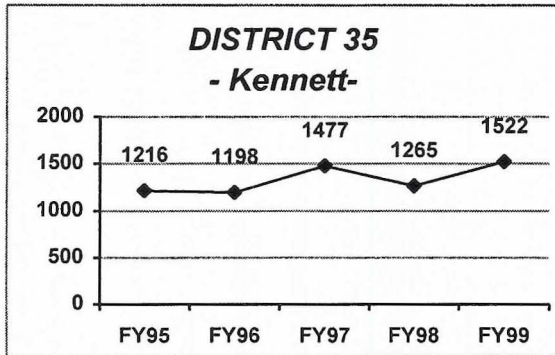
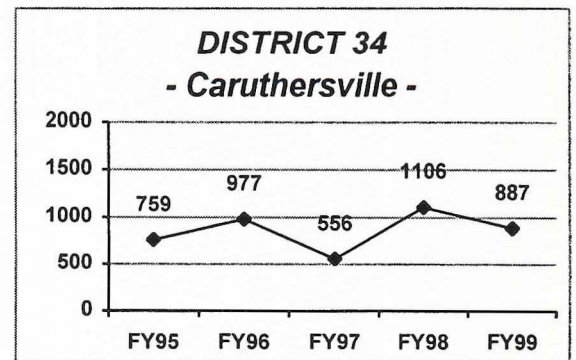
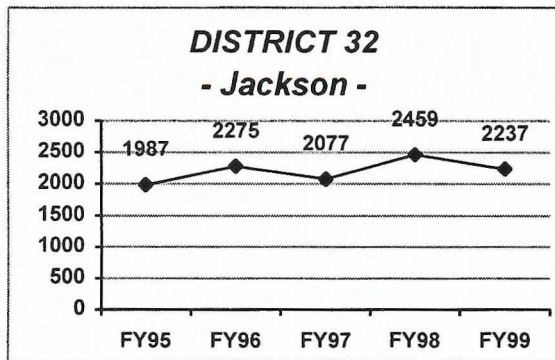
Assigned Caseload By District FY95 – FY99

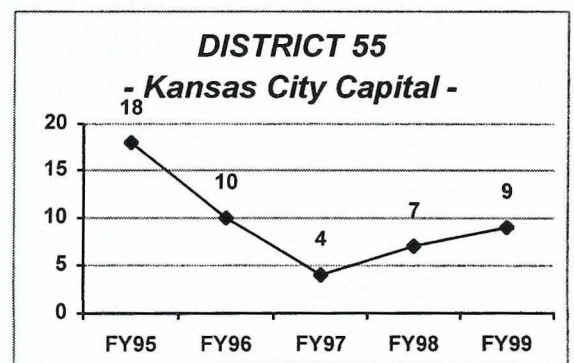
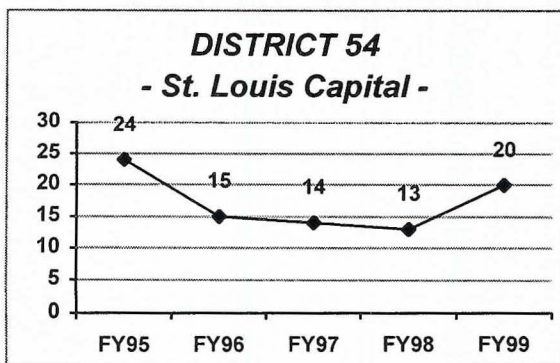
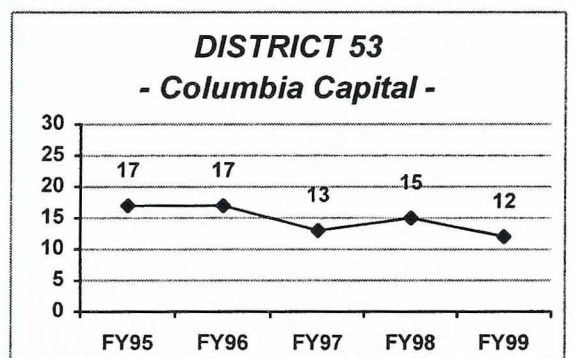
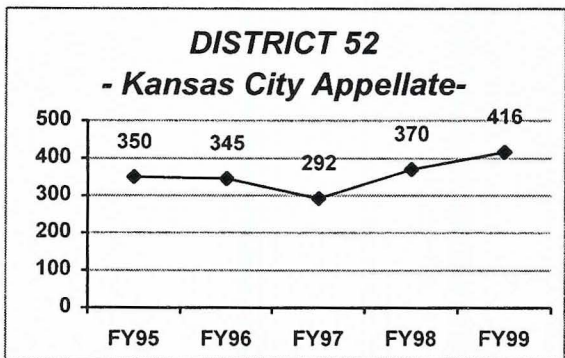
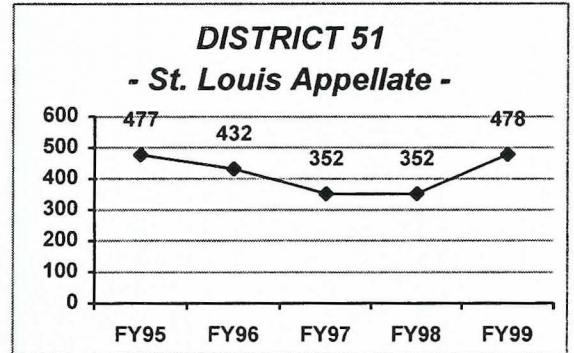
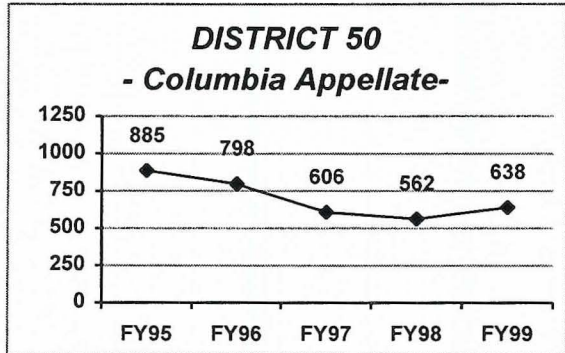
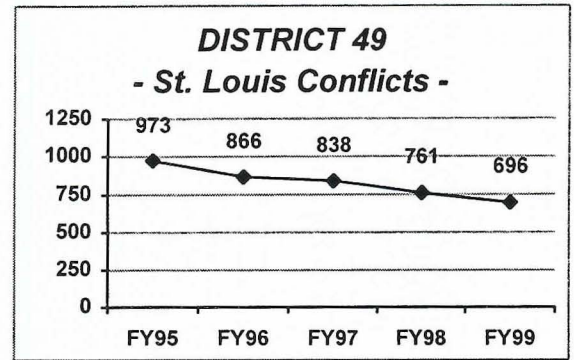
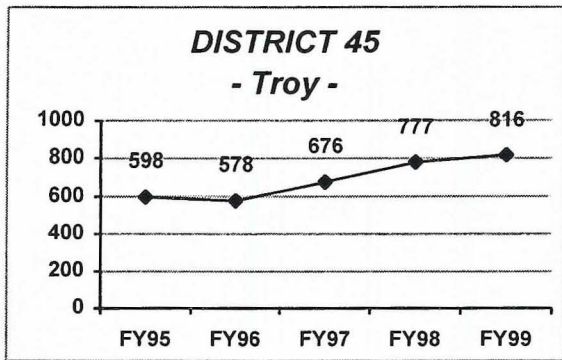


09/10/99









FY99 Assigned Cases by Charge Code

Charge Code	Charge Code Description	# of FY99 Cases	Charge Code	Charge Code Description	# of FY99 Cases
001.000	Probation Violation	8,151	301.020	Failure to Register	147
001.100	Juvenile	444	301.130	Fail Display Valid Plates	133
001.110	Juvenile Inj. Behavior	372	301.140	Disply Plates Another	47
001.115	Juvenile Review Hearing	54	301.218	Con. Salvage Bus. wo Lic.	1
001.120	Juvenile PV Only	251	301.277	Fail to reg non-res veh.	11
001.125	Juvenile Status	129	301.320	Disp. anther states plates	4
001.130	Juvenile Misdemeanor	20	301.390	Sale Veh w/Altered VIN	6
001.135	Juvenile Felony C-D Cert.	11	302.020	Op. Motor Veh wo valid Lic	240
001.140	Juvenile Felony A-B Cert	5	302.025	No Fin. resp oper. Vehicl	24
001.145	Juvenile Felony C-D	49	302.200	Oprtnng Ve w/o DL revoked	20
001.150	Juvenile Felony A-B	7	302.210	Prchsd Vhcl no Cmplt Ttl	4
001.155	Juv. Murder 1st/2nd Cert	1	302.220	Poss. of altered driv lic.	13
001.160	Juvenile Homicide (Cert)	0	302.230	False Stmt Driv Lic M	5
001.165	Juvenile Homicide	3	302.321	Driv. While Susp/Revoked	5,521
115.631	Election Offense Cls I	0	302.340	Prohib. Use of a License	1
142.432	No spec. Motor fuel lic.	0	303.024	Failure Evid Insurance	223
143.931	Fail File MO Inc Tax Rtn	3	303.025	No Fin. resp oper. Vehicl	51
167.031	Compulsory School Att	99	303.370	Driv. Rvok/Susp. Insmc	182
191.677	Risk Infect w/ HIV FD	2	304.000	Traffic	539
191.905	Abuse Per. Health Care	1	304.010	Speeding	212
194.410	Distrb. Human Burial Site	1	304.012	Careless & Imp. Drvng	156
194.425	Abandonment of Corpse	0	304.013	Operating ATV's	2
195.130	Maint. a Public Nuisance	5	304.015	Fail Drive Right Side Road	174
195.202	Drug Possession	5,862	304.016	Violation Passing Reg	9
195.203	Poss Under 35 Grams	480	304.019	Failing to Signal	21
195.204	Fraud. Attempt Obtain	114	304.022	Fail Yield Emerg. Vehicle	28
195.211	Drg.Del Man. Prod.	3,411	304.271	Fail stop at stop Sign	40
195.212	Unlawful Distr. to Minor	11	304.281	Fail Stop Signal/Crosswlk	9
195.213	Transport w/ Minor	0	304.351	Failed yield right-of-way	23
195.214	Dist Drugs 1000ft Schl	181	304.665	Juv in bed of Truck	1
195.218	Dist Drugs 1000ft Pblic Hs	75	307.040	Fail dsply stop/turn sgnls	5
195.222	DrugTraffic FD	64	307.045	Faulty Headlights	13
195.223	Trafficking Drugs SD	544	307.075	No Tail lamps on Trailer	1
195.233	Use of Drug Para MA	703	307.170	Vehicle excessive noise	7
195.235	Unlawful Del. Manf./Para	16	307.173	Vision Reducing Material	26
195.241	Poss. Imitation Drug	9	307.178	Seat Belt Violation	69
195.242	Delv./Manf. Imit Cntl Sub	60	307.400	Comm. vehicle out/service	8
195.246	Possession of Ephedrine	73	311.310	Liquor to a Minor	53
195.254	Drug Delivery Manufact.	2	311.325	Minor Possess of Liquor	181
195.410	Poss.of chem.for meth.	3	311.328	Altered OP Lic or ID Card	7
195.420	Create of a control subst.	114	311.880	Sale of alcohol to minor	0
210.104	Child safety restraint	14	313.830	Cheating Gambling Game	2
211.031	Juv crt exclus Jurisdiction	190	313.830	Cheating Gambling Game	2
217.360	Poss Cont correct ins FC	90	407.020	Merchandising Practices	6
217.385	Committing Violence	31	455.085	Viol. of Protective Order	534
221.111	Narcotics Liquor to jail	52	455.538	Violate Order Child Protect	2
221.353	Damage Jail Property FD	17	476.110	Criminal Contempt Court	10
252.040	Pursuing/taking wildlife	39	542.400	Illegal wire tapping	0
287.128	Workers Comp Fraud/MA	3	544.665	Failure to Appear	104

548.131	Fugitive From Justice	410	567.020	Prostitution MB	22
562.036	Intent distr. controlled sub	63	567.030	Patron. Prostitution MB	1
564.011	Att. Comm. Offense	390	567.050	Promot. Prostitut. 1st FB	0
564.016	Conspiracy FB	79	567.060	Promot. Prostiut. 2nd FC	0
565.020	Murder 1st FA	163	567.070	Promot. Prostitut. 3rd FD	9
565.021	Murder 2nd FA	161	568.010	Bigamy MA	1
565.023	Volun. Manslaughter FB	5	568.020	Incest FD	11
565.024	Invol. Manslaughter FC	23	568.030	Abandonment/Child 1st FB	2
565.050	Assault 1st FA/B	661	568.032	Abandon/Child 2nd FD	1
565.060	Assault 2nd FC	1,019	568.040	Crim. Nonsupport MA/FD	2,243
565.065	Unlaw. Endang/Another	1	568.045	Endangr Welfare Child 1 st	212
565.070	Assault 3rd MA/C	3,951	568.050	Endang. Welfare/Child MA	184
565.075	Assault on School Prop –	55	568.060	Abuse/Child FB/C	111
565.081	Assault Law Enf. Officer	49	568.070	Unlaw. Trans. w/Child MB	1
565.082	Assault Law Enf Officer	110	568.080	Child/Sex. Perform. FB/C	4
565.083	Assault Law . 3 rd MA	192	568.090	Prom Sex Perf./Child FC	1
565.084	Tamper w/ Judicial Officer	17	568.110	Processor/Fail. Report MB	0
565.090	Harassment MA	130	568.175	Trafficking/Children FC	4
565.100	Tampering w/Evidence	1	569.020	Robbery 1st FA	686
565.110	Kidnapping FA/B	39	569.025	Pharmacy Robbery 1st FA	2
565.120	Felonious Restraint FC	46	569.030	Robbery 2nd FB	469
565.130	False Imprison MA/FD	17	569.035	Pharmacy Robbery 2 nd FB	1
565.150	Interf. W/Custody MA/FD	32	569.040	Arson 1st FB	40
565.153	Parental Kidnapping	7	569.050	Arson 2nd FC	83
565.156	Child Abduction	4	569.055	Know. Burn/Exploding FD	45
565.165	Assist Child Abduction/Kid.	2	569.060	Reckl. Burn/Exploding MA	4
565.180	Elder Abuse FD	2	569.065	Negli. Burn/Exploding MB	4
565.182	Elder Abuse SD	6	569.070	Catastrophe FA	3
565.184	Elder Abuse TD	0	569.080	Tampering 1st FC	1,814
565.188	False Rpt of Elder Abuse	0	569.085	Endang/Property FC	1
565.225	Aggravated stalking	81	569.090	Tampering 2nd MA/FD	235
565.225	Stalking	0	569.095	Tamp/Intellec. Prop MA/	0
566.030	Rape FA/B	173	569.097	Tamp/Compu. Equip FC/D	1
566.032	Statutory Rape 1 st Degree	155	569.099	Tamp/Compu. Use MA/FD	0
566.034	Statutory Rape 2nd Dgr	116	569.100	Property Damage 1st FD	278
566.040	Sex. Assault 1st FA/B	30	569.120	Property Damage 2nd MB	542
566.050	Sex. Assault 2nd FC/D	9	569.140	Trespass 1st MB	568
566.060	Sodomy FA/B	86	569.150	Trespass Second Degree	36
566.062	Statutory Sodomy 1st	204	569.160	Burglary 1st FB	690
566.064	Statutory Sodomy 2 nd r	31	569.170	Burglary 2nd FC	2,887
566.067	Child Molestation 1st	116	569.180	Poss/Burglar Tools FD	20
566.068	Child Molestation 2 nd r	23	570.030	Stealing FC/MA	5,467
566.070	Dev. Sex. Assault 1 st FB/C	11	570.033	Stealing Animals	11
566.080	Dev. Sex. Ass. 2nd FC/D	5	570.040	Stealing 3rd Offense FC	94
566.083	Sexual Misconduct – Child	10	570.080	Rec. Stolen Prop. MA/FC	1,061
566.090	Sexual Misconduct MA	95	570.085	Alter/Item #s FD/MB	1
566.093	Sexual Misconduct 2 nd	48	570.090	Forgery FC	2,013
566.095	Sexual Misconduct 3 rd	4	570.100	Poss./Forgi. Instrument FC	0
566.100	Sexual Abuse 1 st FC/D	32	570.110	Iss. False Instru./Cert. MA	2
566.110	Sexual Abuse 2 nd MA/FD	5	570.120	Bad Check MA/FD	4,452
566.120	Sexual Abuse 3 rd MA	0	570.125	Fraud Stp Pay/Inst. MA/FD	29
566.130	Indecent Exposure MA	6	570.130	Fraud use/Cre Dev MA/FD	213
566.625	Sex Offender Fail to Regtr	2	570.140	Decep. Bus. Practice MA	0

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570.150	Commercial Bribery MA	0	575.080	False Reports MB	68
570.155	Sports Bribery FEL/MIS	0	575.090	False Bomb Report MA	25
570.160	False Advertising MA	0	575.100	Tamper Physical Evidence	16
570.170	Bait Advertising MA	0	575.110	Tamper w/ Public Records	0
570.180	Defra. Secur. Cred. MA/	21	575.120	False Impersonation	17
570.190	Telephone Srvc Fraud MA	2	575.130	Simulating Legal Process	0
570.210	Library Theft FC/MC	4	575.150	Resis.Interf. w/Arr. FD/MA	419
570.217	Misap. Fnds/Finan.. FC/D	1	575.160	Interf. w/Legal Process MB	4
570.219	Rec. Finan. Ins/Def FC	0	575.195	Escape Commitment FD	9
570.220	Check Kiting FC	1	575.200	Escp/Attem. Cust. MA FA/	50
570.300	Theft/Cable TV FA/MC	2	575.210	Escp/Attem. Confin. FA/C/	54
571.015	Armed Criminal Action	41	575.220	Fail. Return/Confi. MA/FC	19
571.020	Poss/Weap. FC/MA	78	575.230	Aid. Escape/Pris. FB/D	6
571.030	Use Weapons FD/MB	1,402	575.240	Permitting Escape	0
571.045	Defacing Firearm MA	0	575.250	Disturb Judicial Proceed.	1
571.050	Poss/Defaced Firearm MB	3	575.260	Tamper w Judicial Process	1
571.060	Transt. Weap. FD/MA	1	575.270	Tamp. w/Witness FC/MA	56
571.070	Possess/Conc. Firearm	15	575.280	Official Acced. Corruption	0
571.080	Tran Conc FA no Perm.M	1	575.290	Improper Communication	1
571.090	Permit/Acq Conc Weap.	2	575.300	Juror Misconduct	0
571.150	Met. Pen. Bullet FB	0	575.310	Juror Selection Miscond.	0
572.020	Gambling MB	5	575.320	Admin. of Justice Miscond.	0
572.030	Promoting Gambling FD	3	576.010	Brib./Public Servant FD	3
572.040	Promot. Gambling 2nd MA	0	576.020	Pub. Ser. Acced. Corrup.	2
572.050	Gambling Records 1 st FD	0	576.030	Obstruct Govern. Oper MB	5
572.060	Gambling. Records 2 nd MA	0	576.040	Official Misconduct MA	0
572.070	Poss/Gamb. Device MA	1	576.050	Misuse/Offic. Infor. MA	0
572.080	Lottering Offenses	0	576.060	False Tax List	1
573.020	Promoting Porn. 1st FD	1	576.070	Treason FA	0
573.025	Prom. Child Porn. 1st FB	5	577.005	Vehiclular Manslaughter	2
573.030	Promoting Porn. 2nd MA	0	577.010	DWI MA/B FD	4,008
573.035	Promot. Child Porn. 2 nd FD	0	577.012	Driv./Excess Alcohol MA/C	38
573.037	Possession of Child Porn.	4	577.017	Cnsm Alcohol mov. Veh.	13
573.040	Porn. Materi/Minor MA	1	577.023	DWI Second MA, Third FD	83
573.060	Pub. Dis. Sex. Mater. MA	0	577.051	Furn. M.U.L.E. Rec. MC	0
573.065	Accept Obscene Materials	0	577.060	Leav. Scene/MV Acci.	360
574.010	Peace Disturbance	138	577.070	Littering MA	30
574.020	Pvt. Peace Dissturb. MC	6	577.073	Littering in State Parks	0
574.040	Unlawful Assembly MB	0	577.080	Abandon/Motor Veh. MA	3
574.050	Rioting MA	3	577.600	Interlock device Comp.	4
574.060	Refusal to Disperse MC	0	578.009	Animal Neglect MA	16
574.070	Promo/Civil Disor 1st FC	0	578.012	Animal Abuse	40
574.075	Drunk/Drink. Prohibited M	8	578.025	Dog Fighting MA/FD	3
574.085	Burial Descretion	4	578.027	Dog Baiting MA	0
574.085	Inst. Vandalism	0	578.050	Bullbaiting & Cockfighting	0
574.090	Ethnic Intimidation FD	3	578.150	Fail. Ret. Rent. Prop.	330
574.093	Ethnic Intimidation SD	5	578.250	Inhal or Induce Solvent	17
574.105	Money Laundering	0	578.255	Inducing or Possession	16
575.020	Concealing an Offense MA	0	578.260	Pos/Purch Solvents Aid	1
575.030	Hindering Prosecution	65	578.377	Fraud-Rcpt of Food Stmps	1
575.040	Perjury FA/B/C/D	10	578.395	Ticket Scalping	2
575.050	False Affidavit MA/C	1	589.414	Register Sex Offender	12
575.060	False Declarations MB	25	632.480	Sexually Violent Predator	7

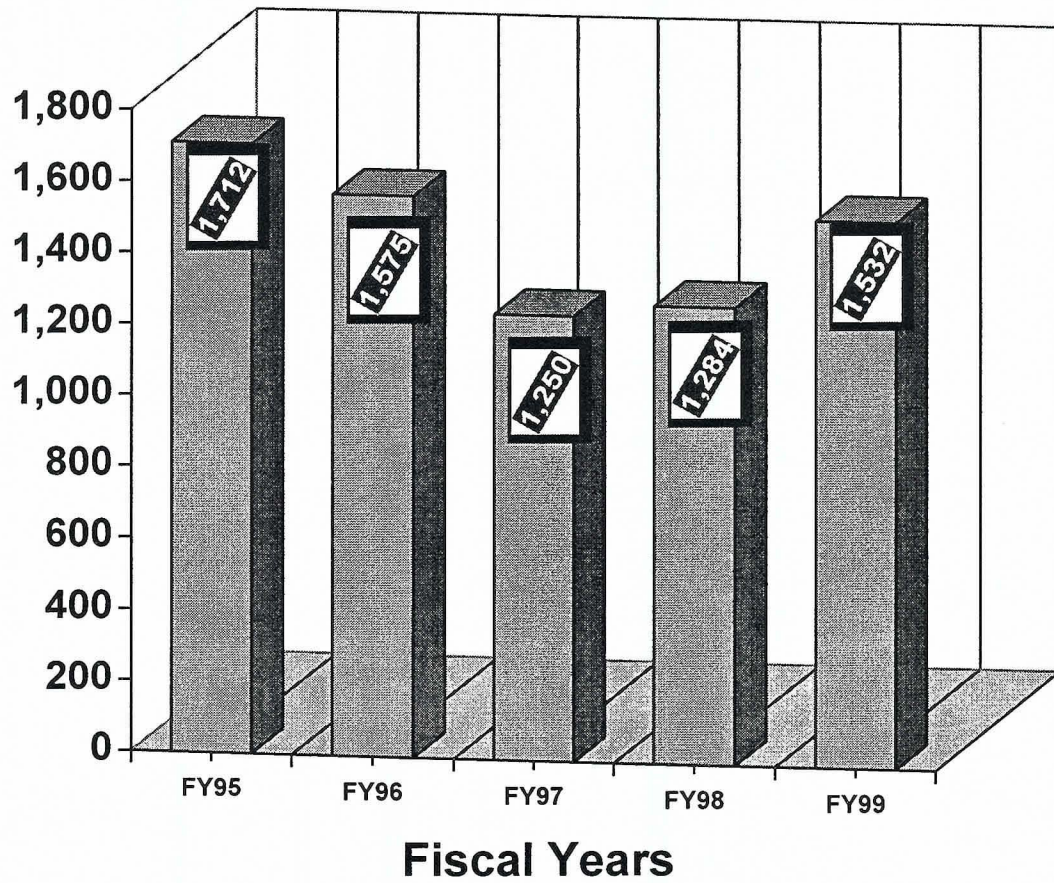
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FY99 CONFLICT ASSIGNMENTS by Case Type		
	Description	# of Cases Assigned
10	Murder – Death Penalty	4
15	Murder – 1 st Degree	10
20	Other Homicide	3
30	A-B Felony	134
35	C-D Felony	166
40	Misdemeanor	50
52	Juvenile – Criminal	9
54	Post Conviction Relief – Rule 24	6
59	Post Conviction Relief – Rule 29	21
60	Chapter 552	0
65	Probation Violation	31
80	Appeal	18
82	Direct Appeal	6
	Total Conflict Assignments	458

FY99 APPELLATE DIVISION CASELOAD
Cases Opened and Closed

	Central Columbia		Eastern St. Louis		Western Kansas City		Totals
	Area 50	Area 67	Area 51	Area 68	Area 52	Area 69	
Death Appeals							
Opened	2						2
Closed	4						4
Death PCR							
Opened		4	3	4	4		15
Closed		5	3	7	1		16
Felony Appeals							
Opened	218		50	38	44	44	394
Closed	193		72	68	47	42	422
PCR Appeals							
Opened	84	36	64	70	64	52	370
Closed	76	24	35	45	35	45	260
PCR Trials							
Opened		294	117	132	102	106	751
Closed		188	139	138	64	97	626
Appellate Division Totals							
Opened	304	334	234	244	214	202	1,532
Closed	273	217	249	258	147	184	1,328
Totals							
Opened	638		478		416		1,532
Closed	490		507		331		1,328
	Central Columbia		Eastern St. Louis		Western Kansas City		

Number of Appellate Division Cases

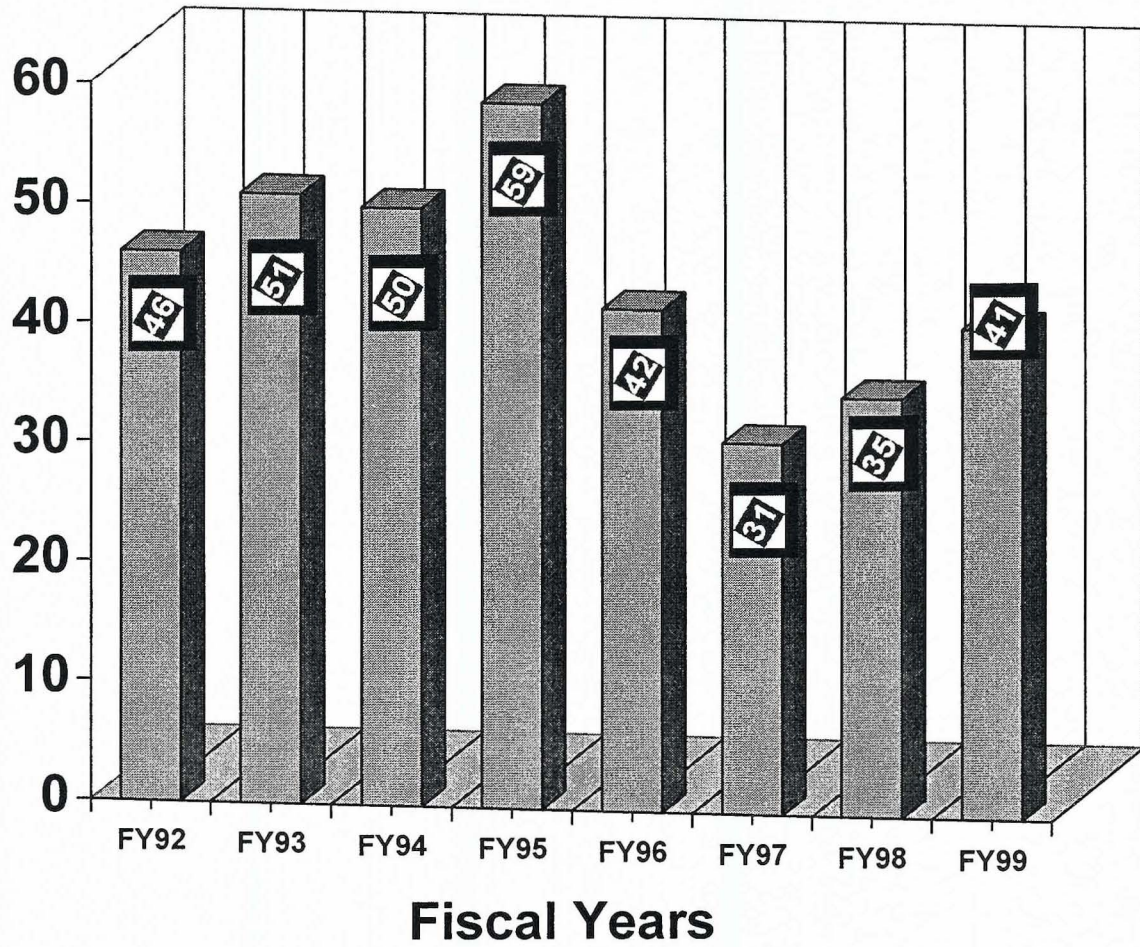


FY99 CAPITAL DIVISION Cases Opened and Closed DEATH PENALTY CASELOAD			
	Opened	Closed	Current Caseload
Central Office – Columbia	12	8	19
Eastern Office – St. Louis City	20	21	21
Western Office – Kansas City	9	11	9
Total Death Penalty Cases	41	40	49

FY99 CAPITAL DIVISION Cases Opened and Closed DEATH PENALTY – DIRECT APPEALS			
	Opened	Closed	Current Caseload
Central Office – Columbia	2	2	2
Eastern Office – St. Louis City	2	1	5
Western Office – Kansas City	3	2	3
Total Death Penalty Cases	7	5	10

The Direct Appeals of Death Penalty Cases was transferred to the Capital Division in October of 1997. In addition to the Direct Appeals, the staff assigned to direct appeals of death penalty cases help the Capital Division Trial staff in trial preparation.

Number of Death Penalty Cases



2. Cases Closed

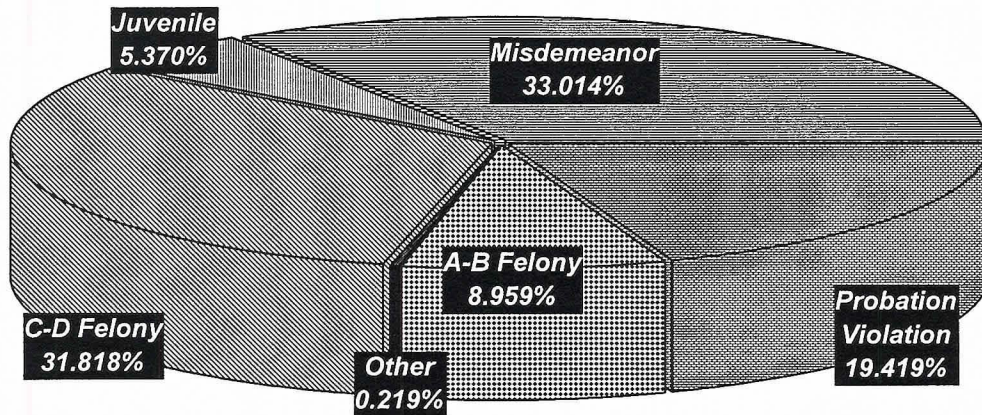
The State Public Defender System's Trial Division closed 73,197 cases in Fiscal Year 1999. This is more than double the number of closed cases in 1984 when the State Public Defender System closed 31,730 cases.

FY99 Trial Division Closed Cases by Case Type		
	Description	# of Cases Represented
10	Murder – Death Penalty	13
15	Murder – 1 st Degree	153
20	Other Homicide	95
30	A-B Felony	6297
35	C-D Felony	23,290
40	Misdemeanor	18,650
45	Misdemeanor – Traffic	6,394
50	Juvenile – Status	689
52	Juvenile – Criminal	3,242
54	Post Conviction Relief – Rule 24	16
59	Post Conviction Relief – Rule 29	7
60	Chapter 552	87
61	Sexual Predator Hearings & Trials	4
65	Probation Violation	14,214
75	Writ	33
80	Appeal	5
82	Direct Appeal	8
	Total Trial Division Closed Cases	73,197

TRIAL DIVISION CASE DISPOSITIONS
FISCAL YEAR COMPARISONS - FY96 to FY99
BY DISTRICT

District #	District Name	FY96 Cases Disposed	FY97 Cases Disposed	# Change 96 to 97	% Change 96 to 97	FY98 Cases Disposed	# Change 97 to 98	% Change 97 to 98	FY99 Cases Disposed	# Change 98 to 99	% Change 98 to 99	# Change 96 to 99	% Change 96 to 99
1	St. Louis Juvenile	0	1,880	1,880	*	1,445	(435)	-23.14%	1,412	(33)	-2.28%	1,412	*
2	Kirksville	380	416	36	9.47%	351	(65)	-15.63%	429	78	22.22%	49	12.89%
4	Maryville	496	529	33	6.65%	586	57	10.78%	583	(3)	-0.51%	87	17.54%
5	St. Joseph	2,055	1,625	(430)	-20.92%	1,903	278	17.11%	2,076	173	9.09%	21	1.02%
7	Liberty	2,081	2,065	(16)	-0.77%	2,634	569	27.55%	3,023	389	14.77%	942	45.27%
10	Hannibal	812	854	42	5.17%	1,156	302	35.36%	1,019	(137)	-11.85%	207	25.49%
11	St. Charles	1,581	1,869	288	18.22%	2,033	164	8.77%	1,913	(120)	-5.90%	332	21.00%
12	Fulton	1,406	1,679	273	19.42%	1,703	24	1.43%	1,586	(117)	-6.87%	180	12.80%
13	Columbia	2,964	1,874	(1,090)	-36.77%	3,187	1,313	70.06%	4,041	854	26.80%	1,077	36.34%
14	Moberly	957	653	(304)	-31.77%	1,015	362	55.44%	1,212	197	19.41%	255	26.65%
15	Sedalia	1,714	1,753	39	2.28%	1,696	(57)	-3.25%	1,702	6	0.35%	(12)	-0.70%
16	Kansas City	8,611	9,054	443	5.14%	8,572	(482)	-5.32%	8,604	32	0.37%	(7)	-0.08%
17	Harrisonville	1,652	2,034	382	23.12%	2,600	566	27.83%	2,907	307	11.81%	1,255	75.97%
19	Jefferson City	1,097	797	(300)	-27.35%	1,163	366	45.92%	1,378	215	18.49%	281	25.62%
20	Union	977	1,355	378	38.69%	1,241	(114)	-8.41%	1,447	206	16.60%	470	48.11%
21	St. Louis County	6,753	4,680	(2,073)	-30.70%	4,054	(626)	-13.38%	4,651	597	14.73%	(2,102)	-31.13%
22	St. Louis City	10,587	8,572	(2,015)	-19.03%	8,322	(250)	-2.92%	7,777	(545)	-6.55%	(2,810)	-26.54%
23	Hillsboro	1,284	1,404	120	9.35%	1,241	(163)	-11.61%	1,214	(27)	-2.18%	(70)	-5.45%
24	Farmington	1,356	1,657	301	22.20%	1,533	(124)	-7.48%	1,663	130	8.48%	307	22.64%
25	Rolla	2,121	2,040	(81)	-3.82%	1,984	(56)	-2.75%	2,116	132	6.65%	(5)	-0.24%
26	Lebanon	1,378	1,470	92	6.68%	1,755	285	19.39%	1,625	(130)	-7.41%	247	17.92%
28	Nevada	724	805	81	11.19%	960	155	19.25%	979	19	1.98%	255	35.22%
29	Carthage	3,495	3,214	(281)	-8.04%	3,540	326	10.14%	3,391	(149)	-4.21%	(104)	-2.98%
30	Buffalo	836	971	135	16.15%	1,189	218	22.45%	1,088	(101)	-8.49%	252	30.14%
31	Springfield	2,194	2,585	391	17.82%	2,447	(138)	-5.34%	2,510	63	2.57%	316	14.40%
32	Cape Girardeau	2,223	1,757	(466)	-20.96%	2,544	787	44.79%	2,335	(209)	-8.22%	112	5.04%
34	Caruthersville	1,038	521	(517)	-49.81%	1,275	754	144.72%	994	(281)	-22.04%	(44)	-4.24%
35	Kennett	1,204	1,333	129	10.71%	1,542	209	15.68%	1,461	(81)	-5.25%	257	21.35%
36	Poplar Bluff	872	1,040	168	19.27%	2,625	1,585	152.40%	1,492	(1,133)	-43.16%	620	71.10%
37	West Plains	584	534	(50)	-8.56%	663	129	24.16%	644	(19)	-2.87%	60	10.27%
39	Monett	1,595	1,623	28	1.76%	1,724	101	6.22%	1,939	215	12.47%	344	21.57%
43	Chillicothe	1,389	1,705	316	22.75%	1,784	79	4.63%	1,767	(17)	-0.95%	378	27.21%
44	Ava	443	541	98	22.12%	547	6	1.11%	546	(1)	-0.18%	103	23.25%
45	Troy	512	658	146	28.52%	667	9	1.37%	835	168	25.19%	323	63.09%
47	Springfield Conflicts	688	291	(397)	-57.70%	498	207	71.13%	0	(498)	-100.00%	(688)	-100.00%
49	St. Louis City Conflicts	863	772	(91)	-10.54%	824	52	6.74%	838	14	1.70%	(25)	-2.90%
Total Trial Division Dispositions		68,922	66,610	(2,312)	-3.35%	73,003	6,393	9.60%	73,197	194	0.27%	4,275	6.20%
		FY96		FY97			FY98			FY99		FY96 to FY99	

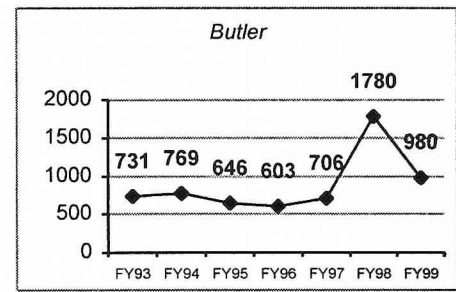
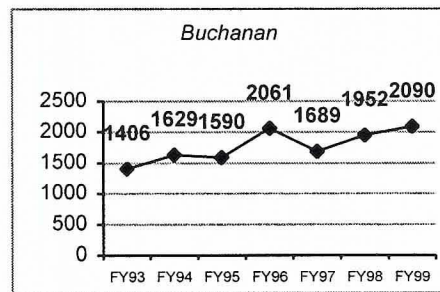
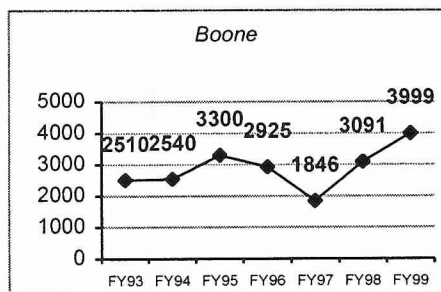
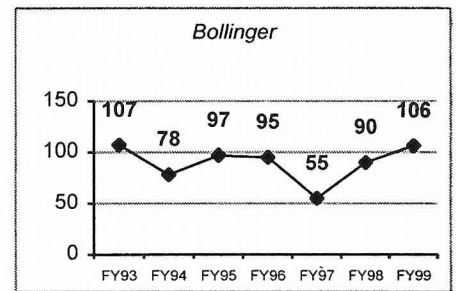
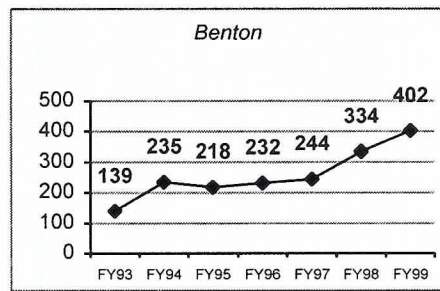
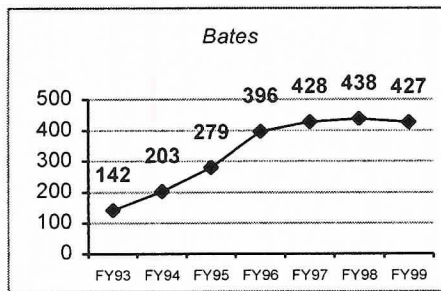
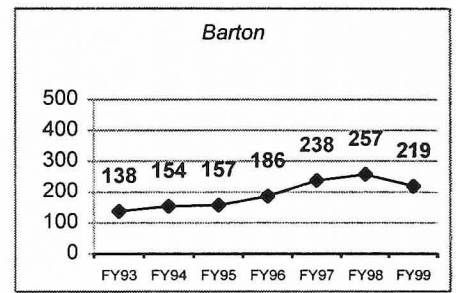
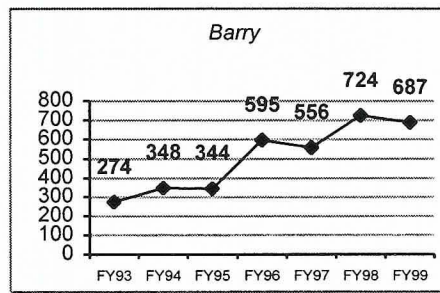
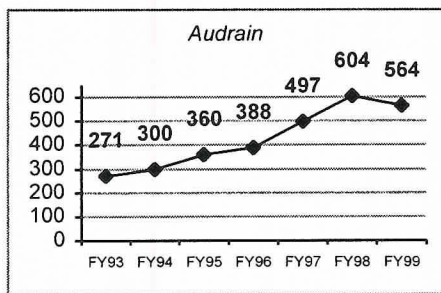
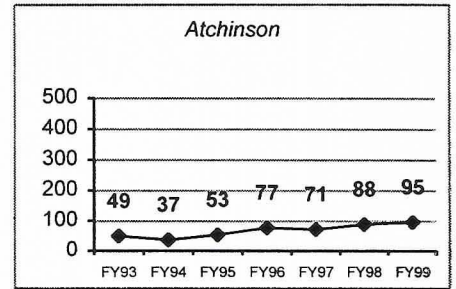
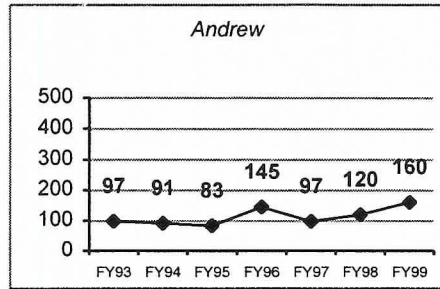
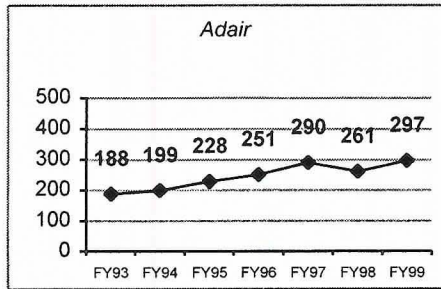
**FY99 - Trial Division
Closed Cases by Case Type**

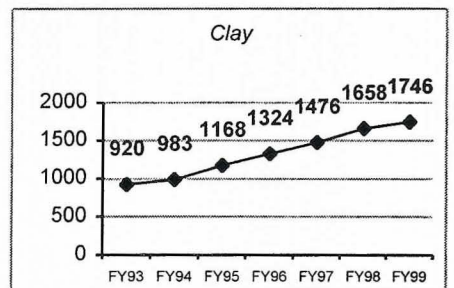
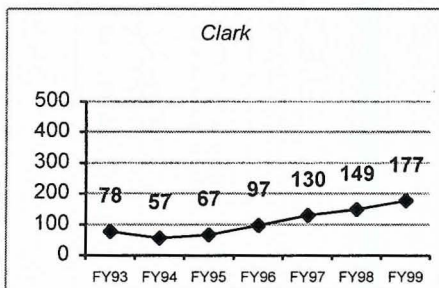
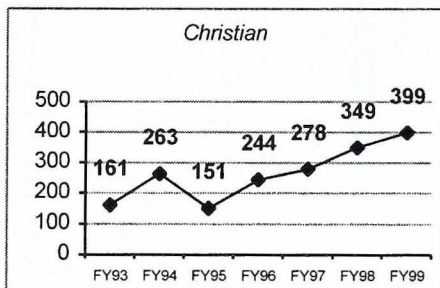
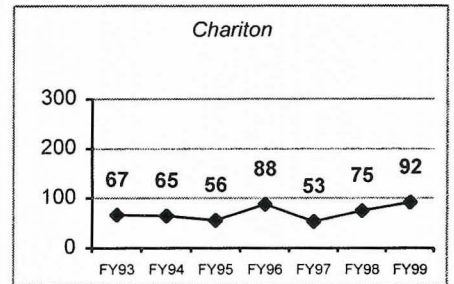
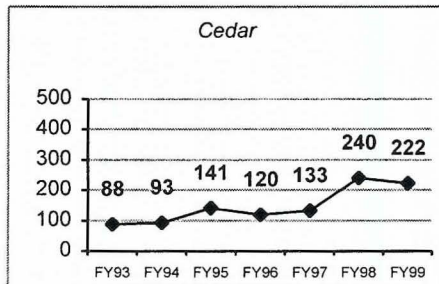
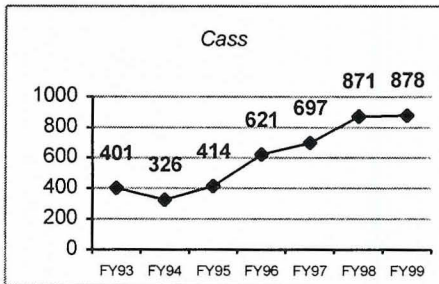
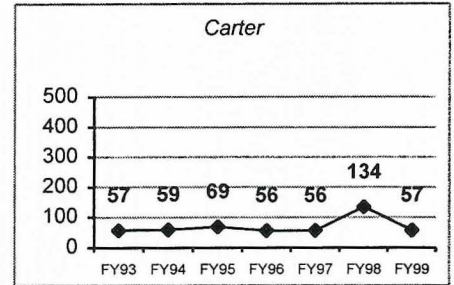
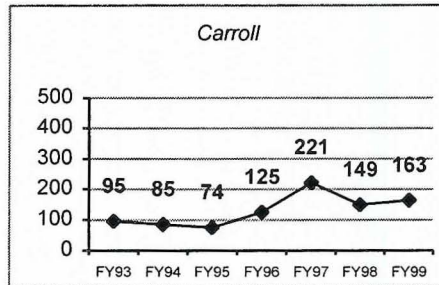
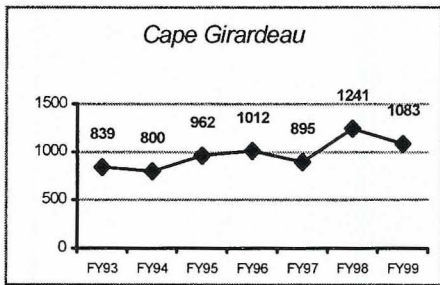
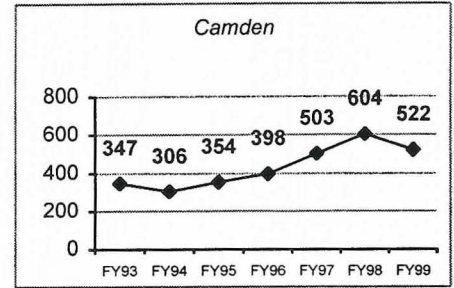
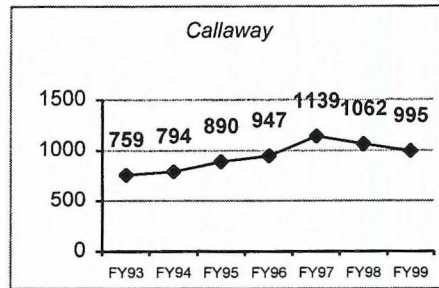
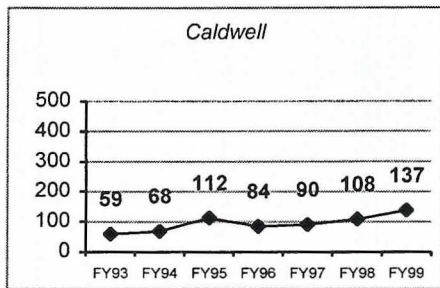


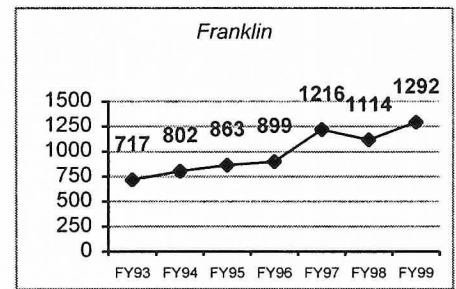
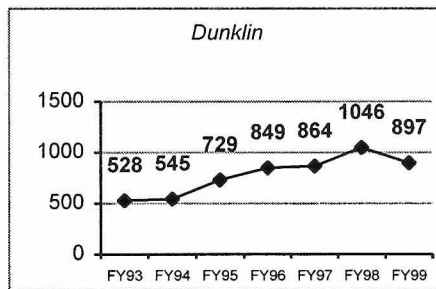
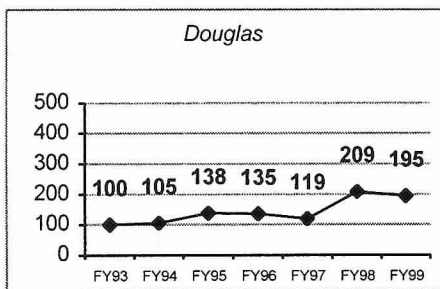
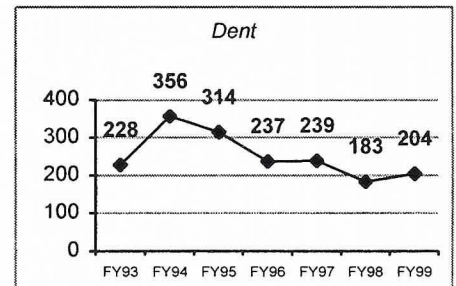
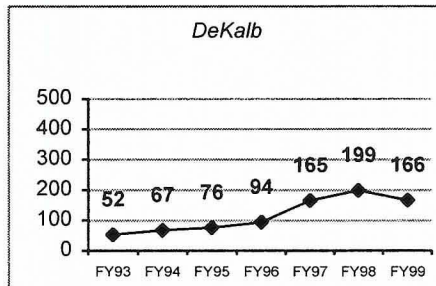
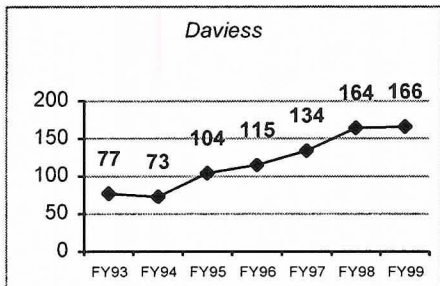
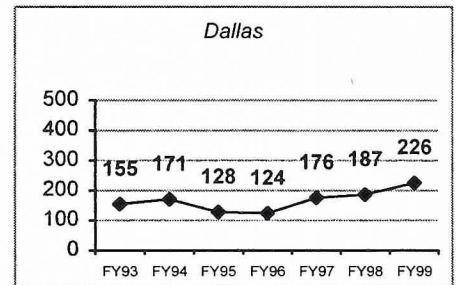
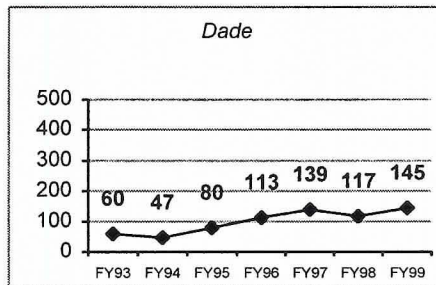
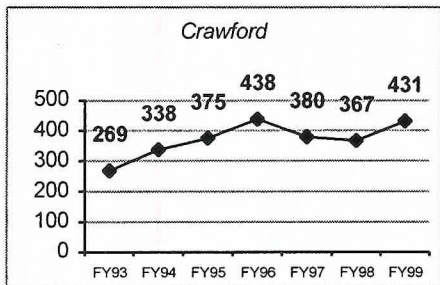
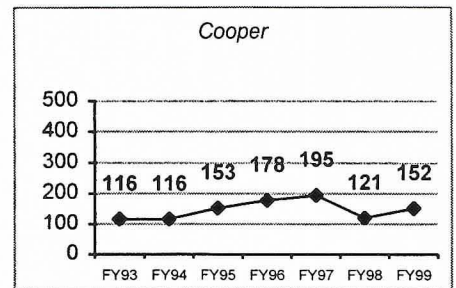
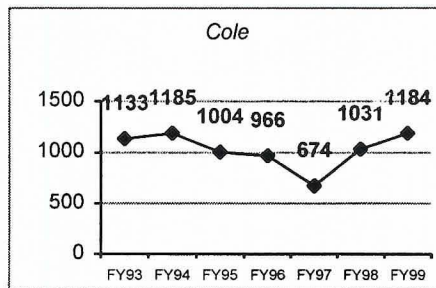
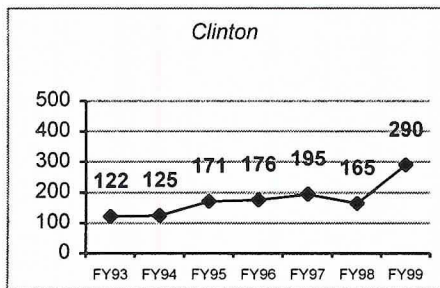
**Fiscal Year 1999 - Trial Division Caseload
Assigned and Disposed by County**

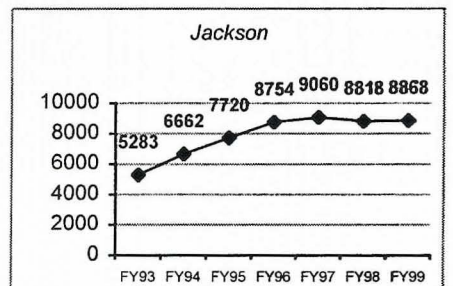
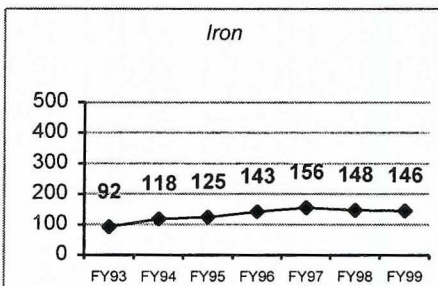
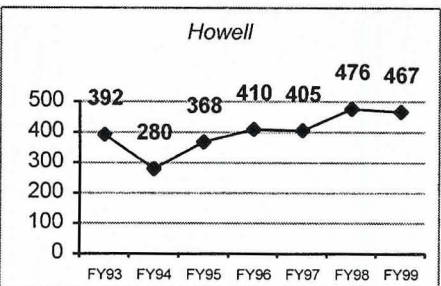
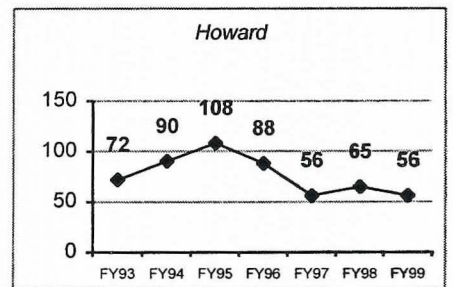
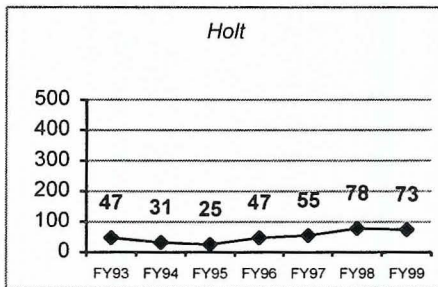
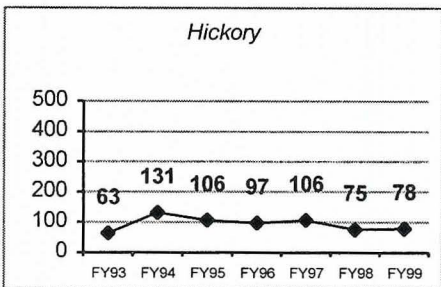
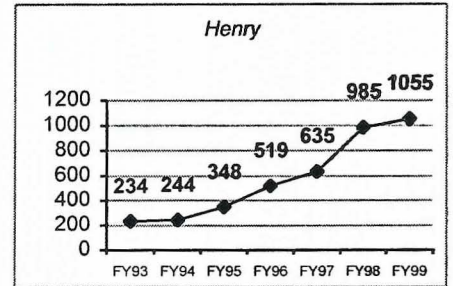
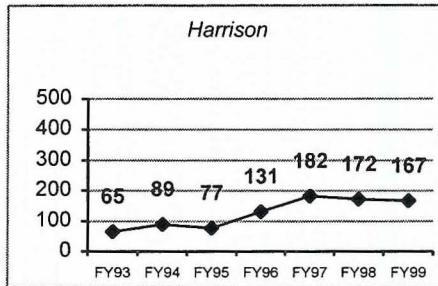
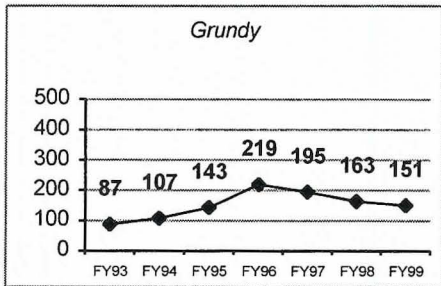
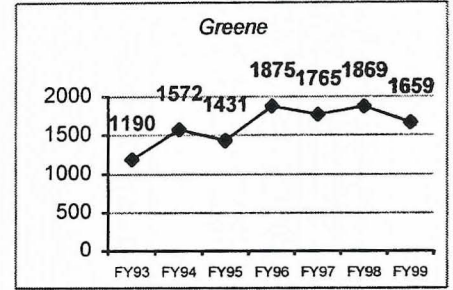
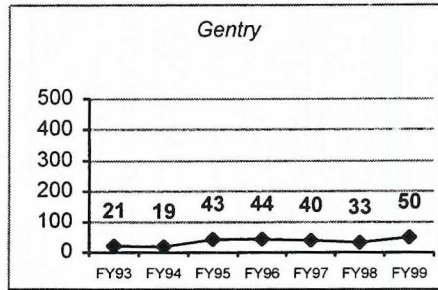
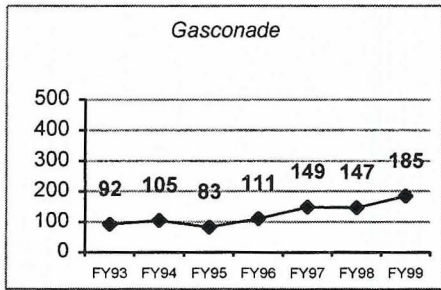
County	FY99 Assigned	FY99 Disposed	County	FY99 Assigned	FY99 Disposed	County	FY99 Assigned	FY99 Disposed	County	FY99 Assigned	FY99 Disposed
Adair	289	297	Dallas	207	226	Livingston	338	364	Randolph	571	582
Andrew	145	160	Daviess	147	166	Macon	275	282	Ray	304	310
Atchinson	94	95	DeKalb	166	166	Madison	111	106	Reynolds	59	37
Audrain	536	564	Dent	202	204	Maries	90	93	Ripley	247	263
Barry	662	687	Douglas	186	195	Marion	496	508	Saline	369	350
Barton	248	219	Dunklin	912	897	McDonald	469	498	Schuyler	33	35
Bates	405	427	Franklin	1,255	1,292	Mercer	70	76	Scotland	48	48
Benton	383	402	Gasconade	157	185	Miller	266	250	Scott	510	536
Bollinger	110	106	Gentry	50	50	Mississippi	380	429	Shannon	93	80
Boone	3,845	3,999	Greene	1,742	1,659	Moniteau	71	69	Shelby	120	115
Buchanan	2,145	2,090	Grundy	184	151	Monroe	75	86	Ste. Genevieve	111	129
Butler	965	980	Harrison	133	167	Montgomery	89	92	Stoddard	630	587
Caldwell	139	137	Henry	944	1,055	Morgan	204	207	Stone	408	492
Callaway	950	995	Hickory	71	78	New Madrid	296	333	St. Charles	1,620	1,708
Camden	538	522	Holt	71	73	Newton	691	646	St. Clair	181	201
Cape Girardeau	1,045	1,083	Howard	52	56	Nodaway	180	171	St. Francois	805	760
Carroll	162	163	Howell	462	467	Oregon	117	121	St. Louis City	8,174	9,380
Carter	61	57	Iron	137	146	Osage	47	49	St. Louis Co.	5,157	5,095
Cass	840	878	Jackson	9,279	8,868	Ozark	98	100	Sullivan	57	62
Cedar	198	222	Jasper	2,368	2,301	Pemiscot	559	623	Taney	570	531
Chariton	95	92	Jefferson	1,196	1,213	Perry	234	240	Texas	227	171
Christian	413	399	Johnson	484	518	Pettis	485	500	Vernon	468	459
Clark	173	177	Knox	18	19	Phelps	743	749	Warren	245	257
Clay	1,776	1,746	Laclede	580	594	Pike	261	250	Washington	509	521
Clinton	280	290	Lafayette	497	501	Platte	712	694	Wayne	191	194
Cole	1,140	1,184	Lawrence	556	582	Polk	277	245	Webster	186	190
Cooper	151	152	Lewis	87	73	Pulaski	446	493	Worth	13	14
Crawford	457	431	Lincoln	595	605	Putnam	68	77	Wright	214	219
Dade	157	145	Linn	208	212	Ralls	84	102			
										71,700	73,197

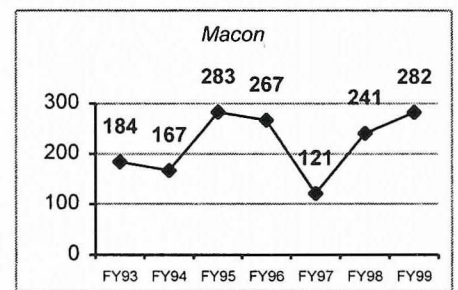
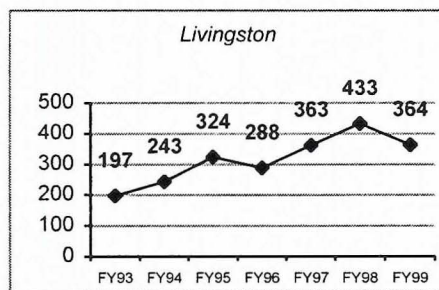
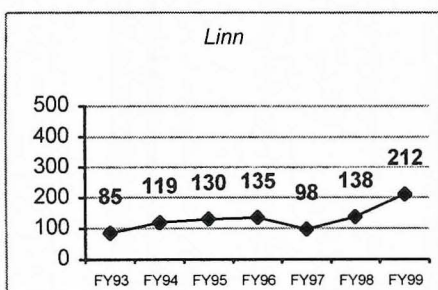
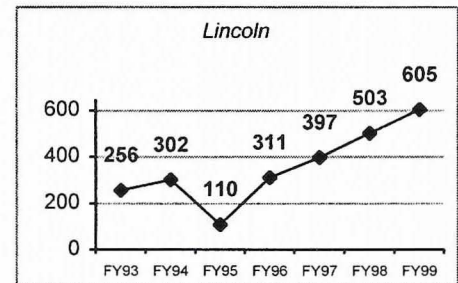
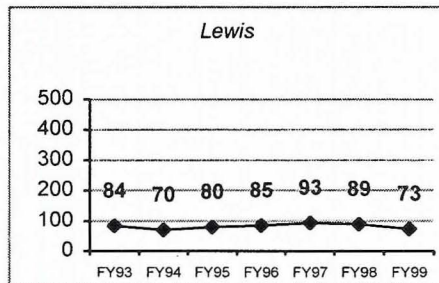
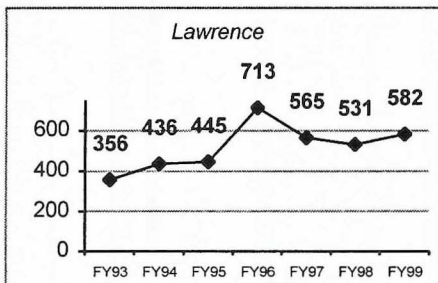
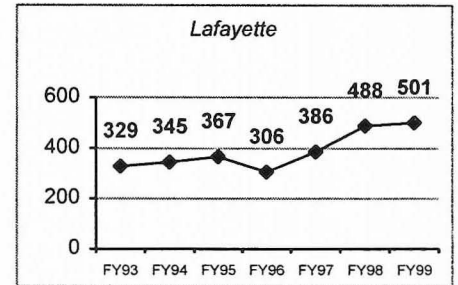
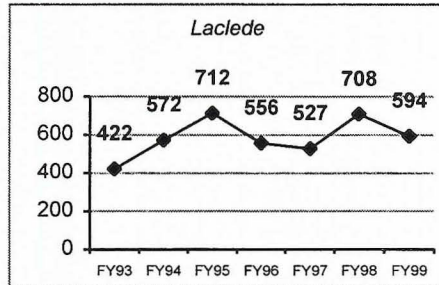
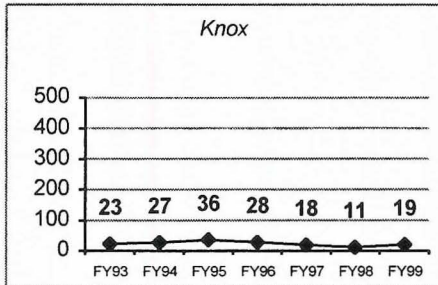
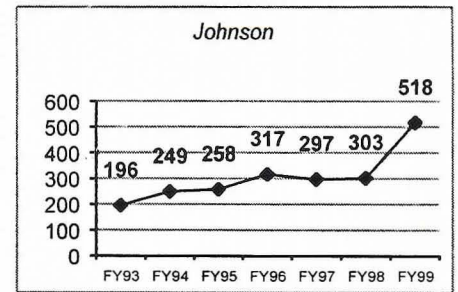
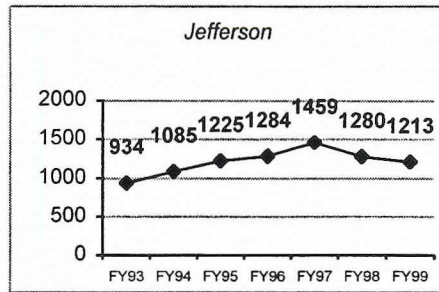
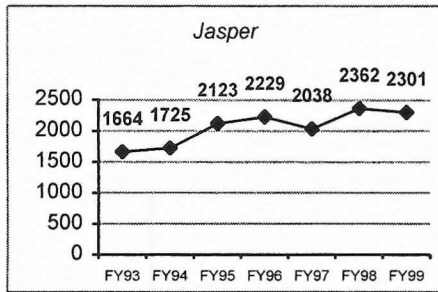
FISCAL YEAR COMPARISON TRIAL DIVISION CASELOAD CLOSED CASES - BY COUNTY

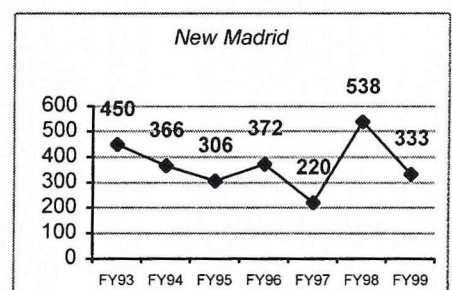
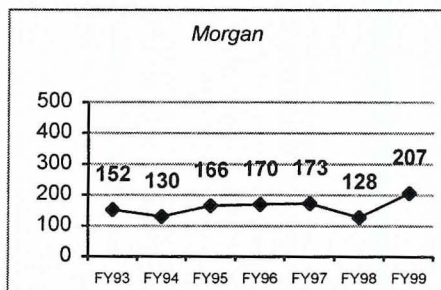
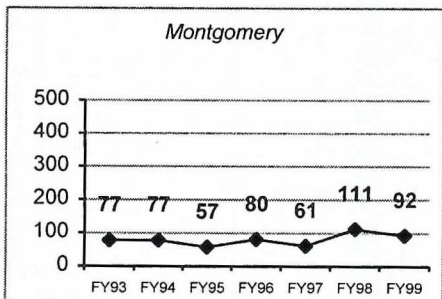
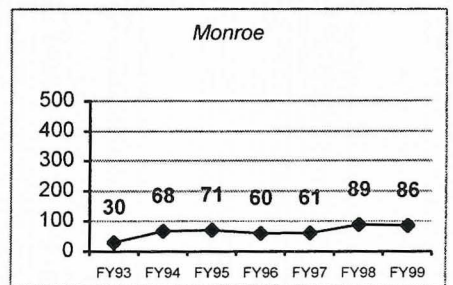
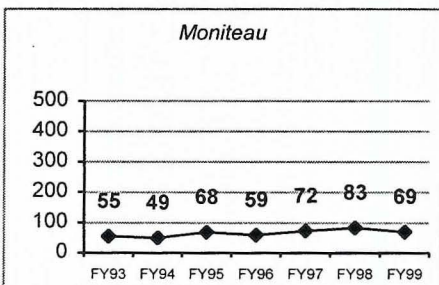
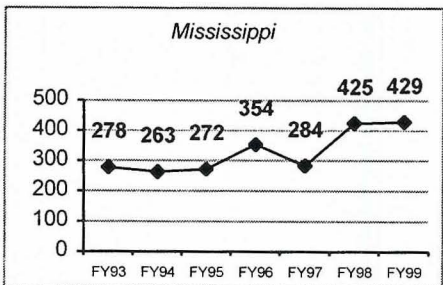
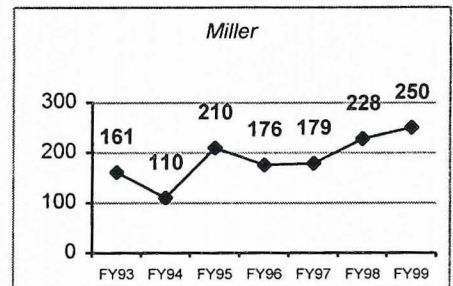
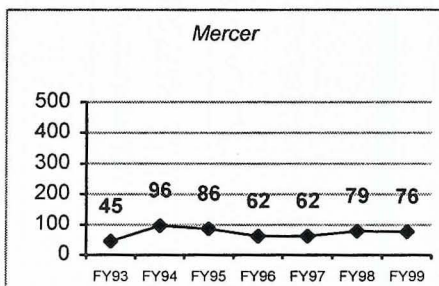
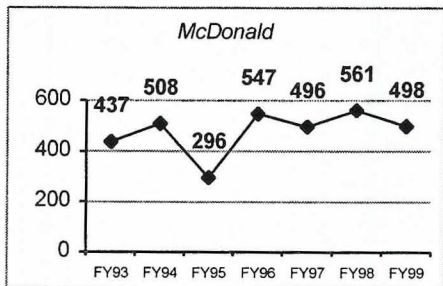
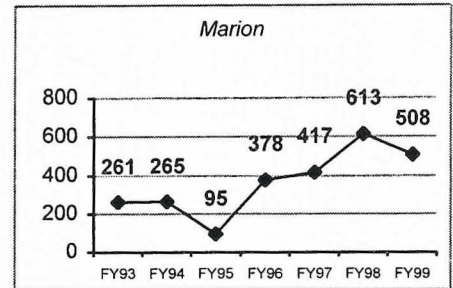
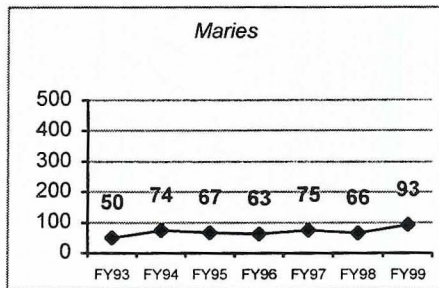
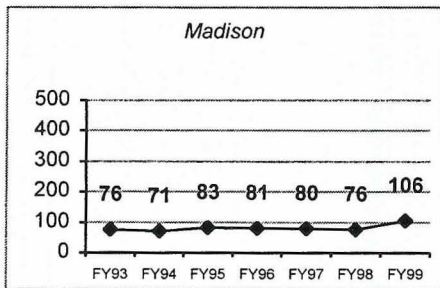


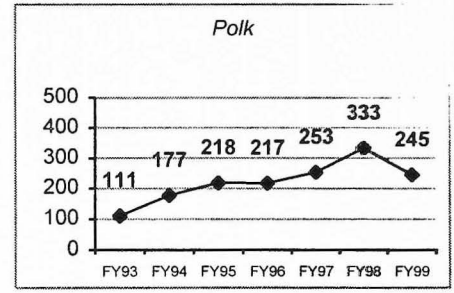
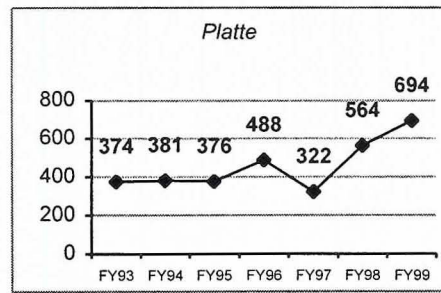
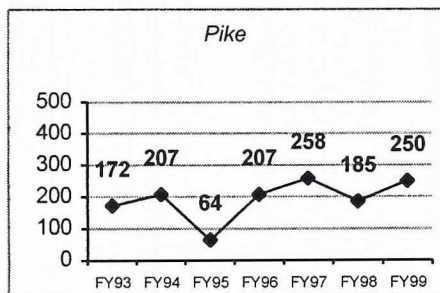
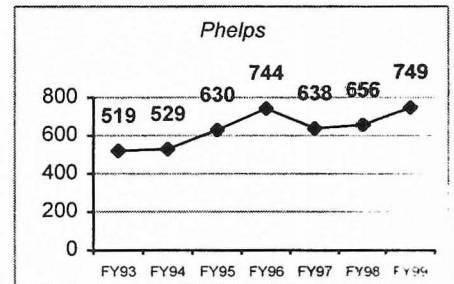
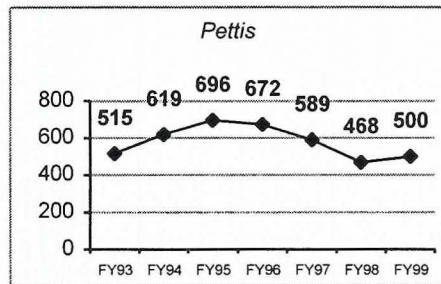
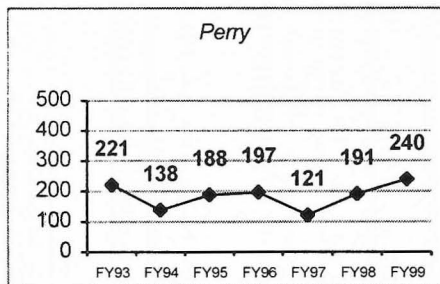
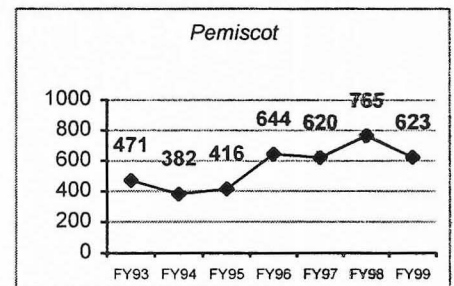
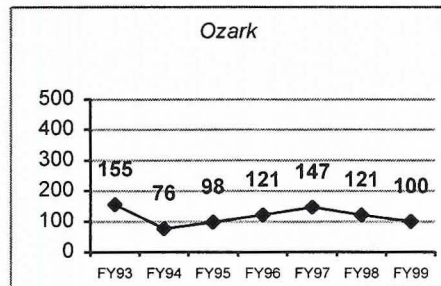
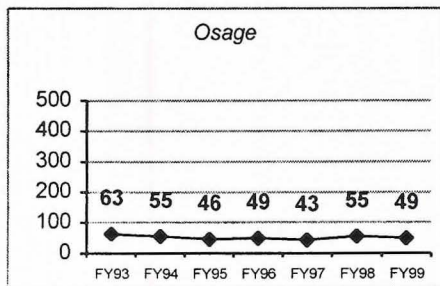
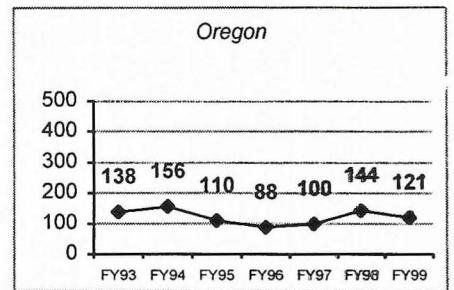
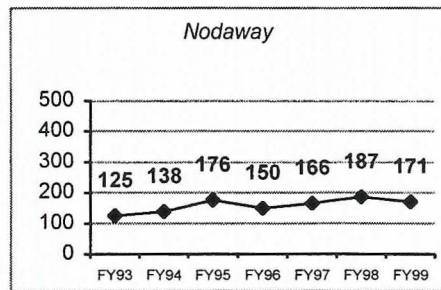
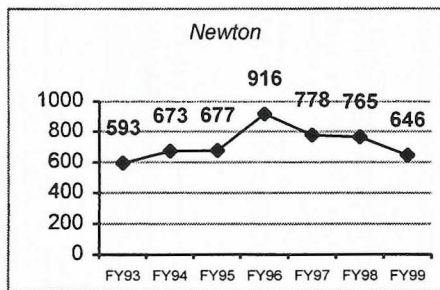


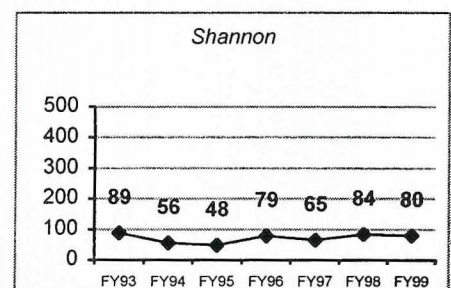
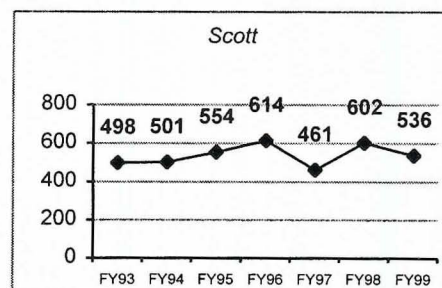
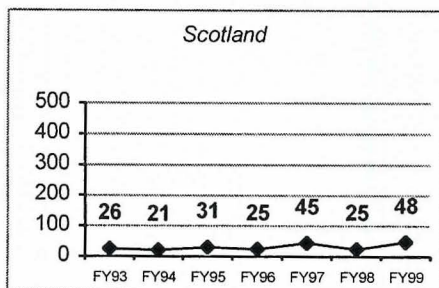
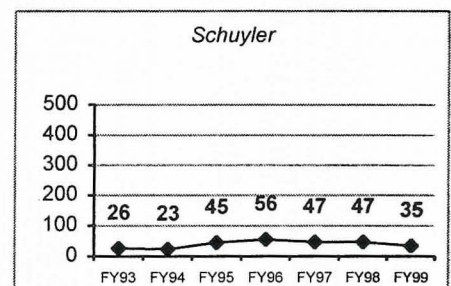
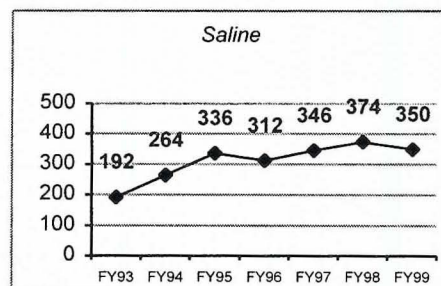
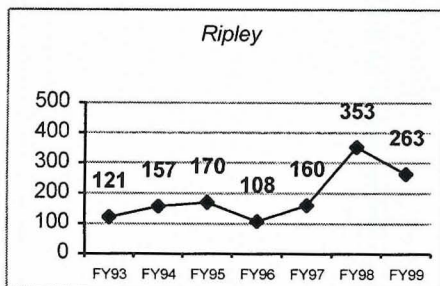
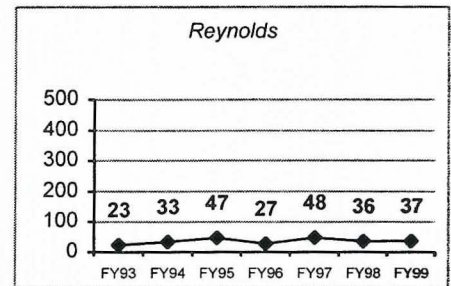
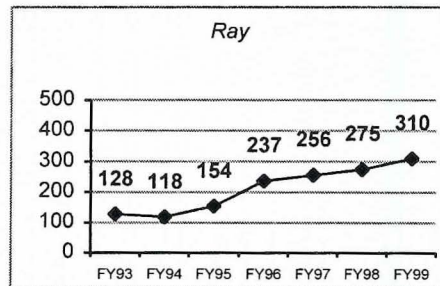
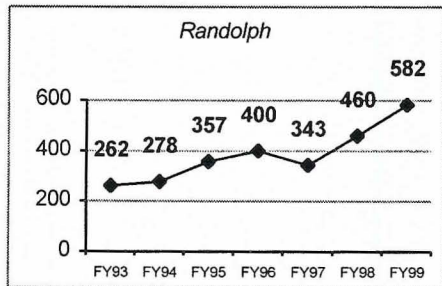
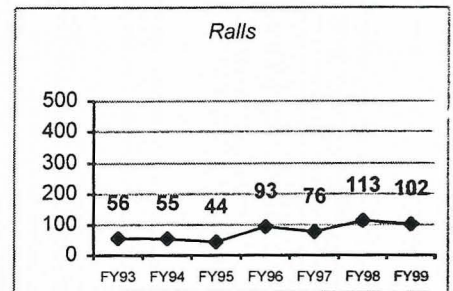
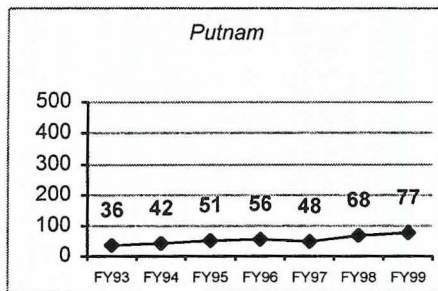
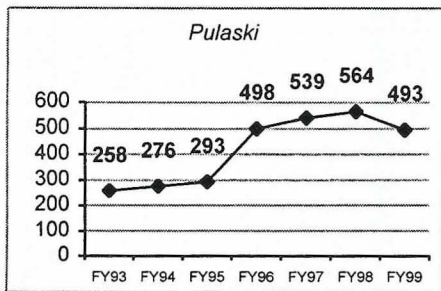


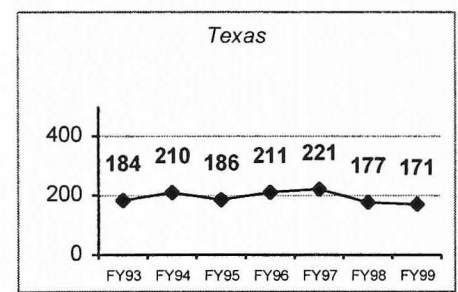
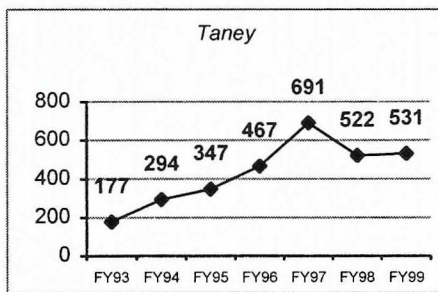
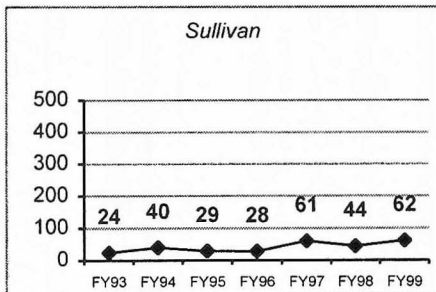
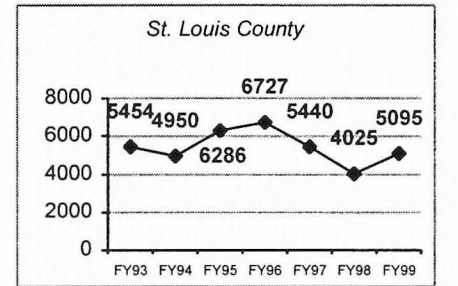
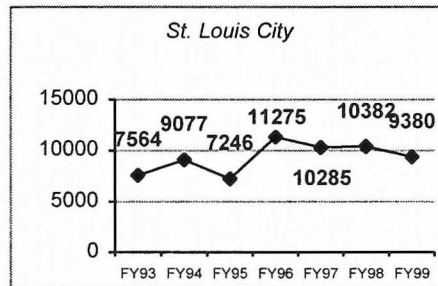
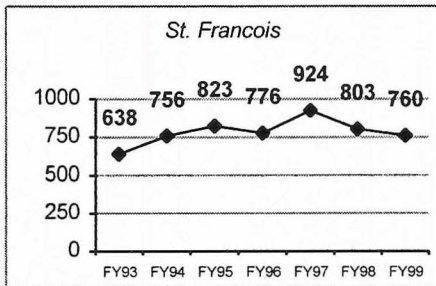
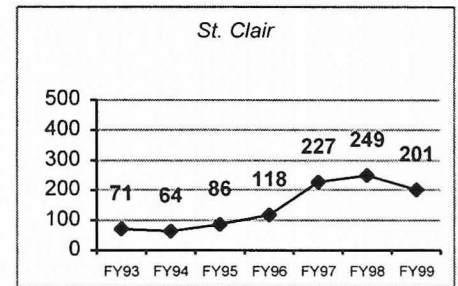
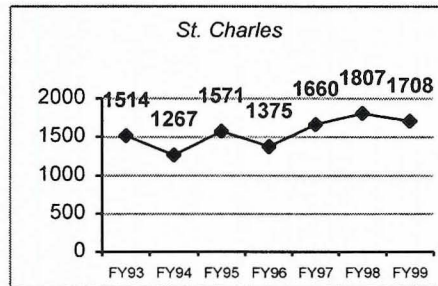
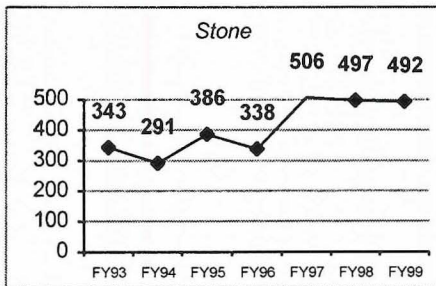
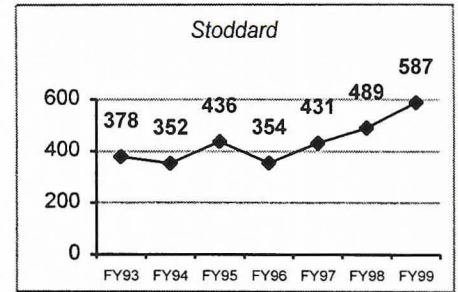
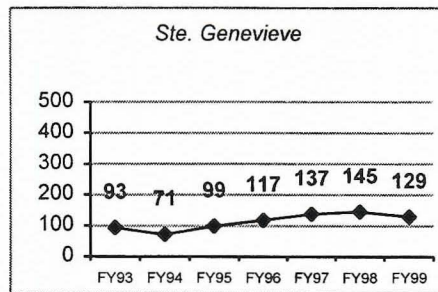
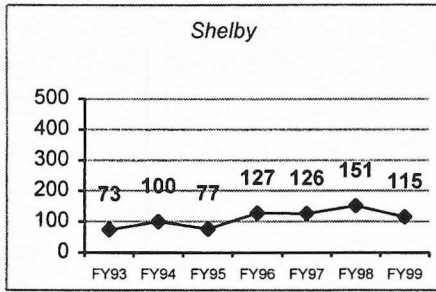


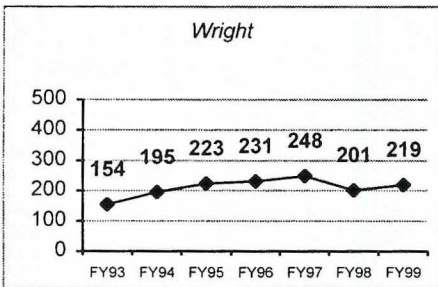
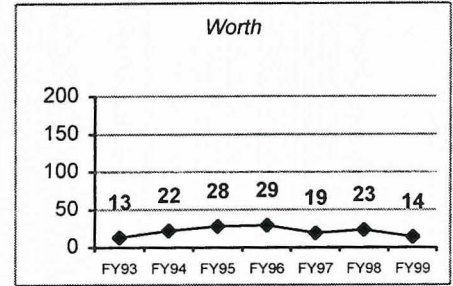
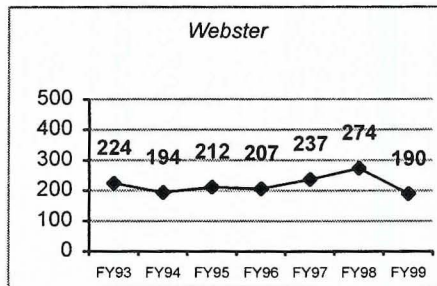
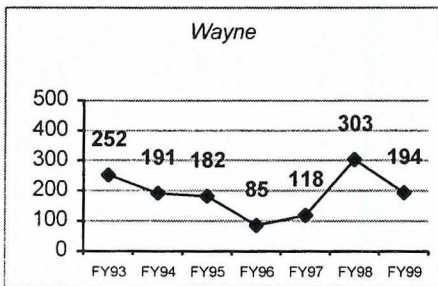
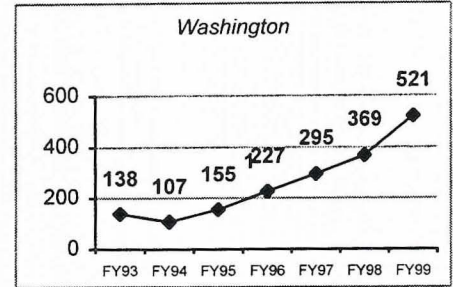
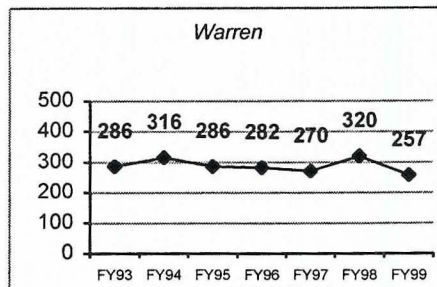
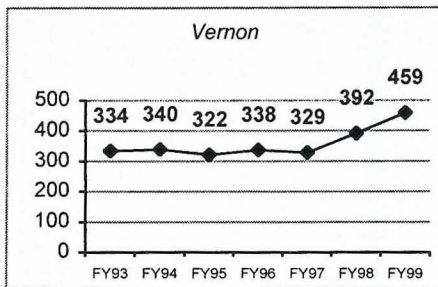




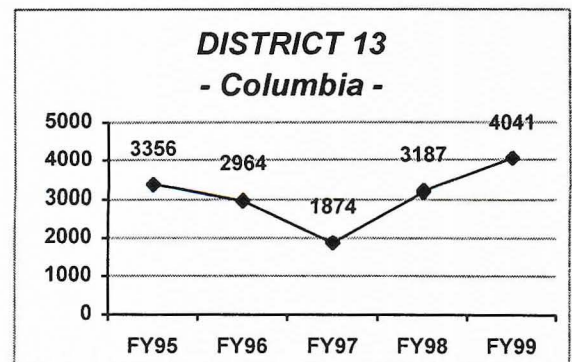
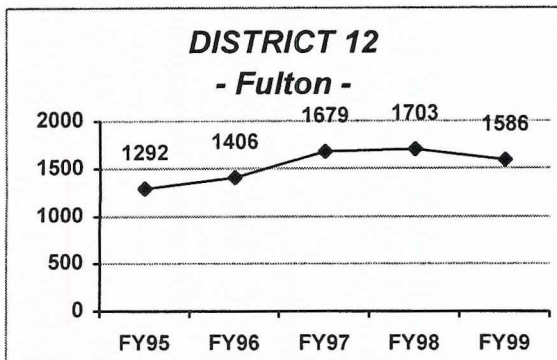
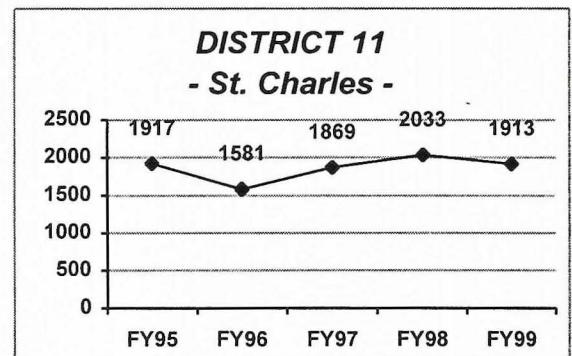
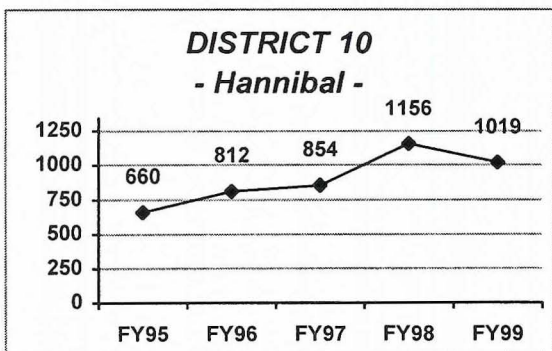
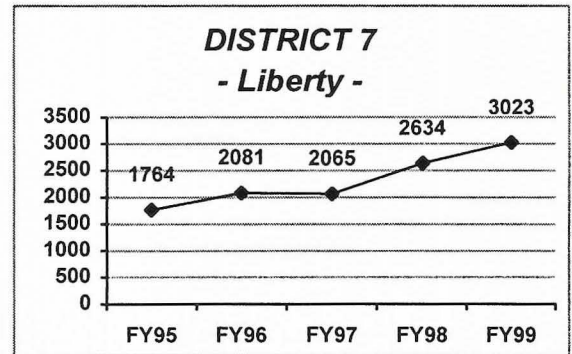
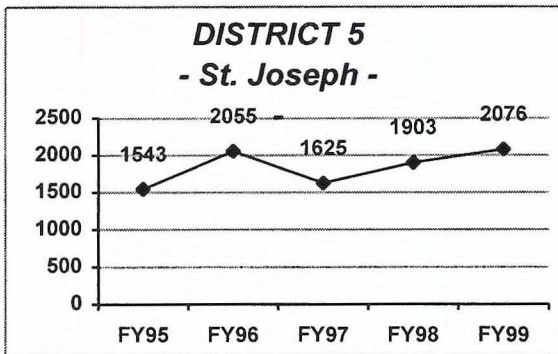
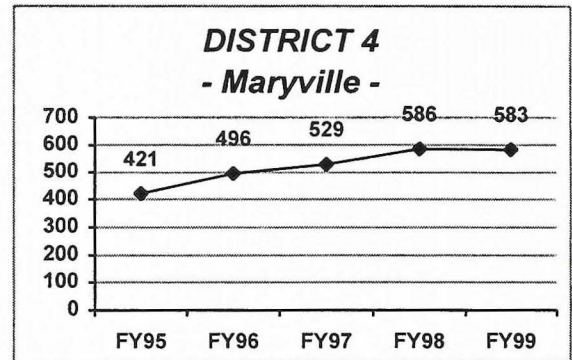
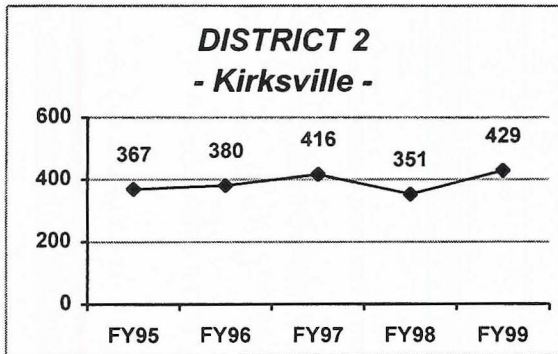


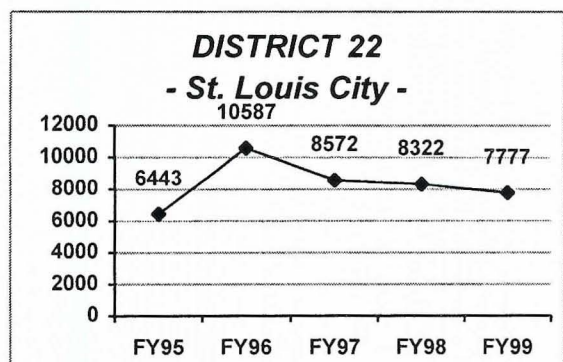
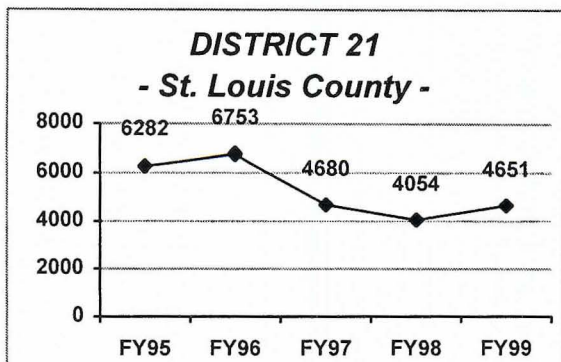
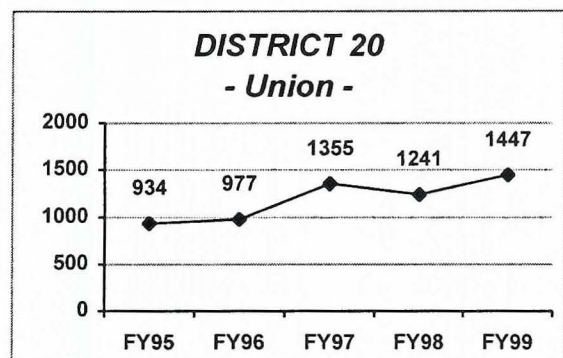
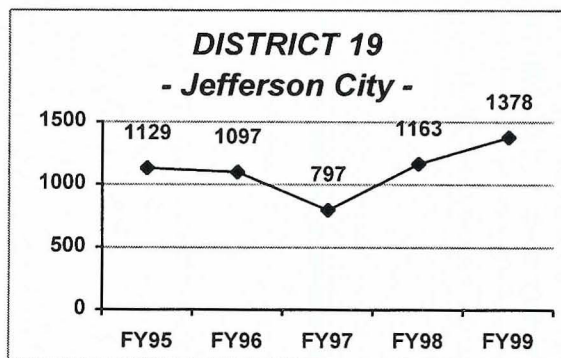
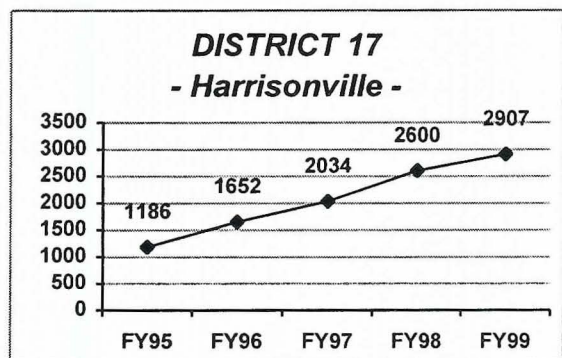
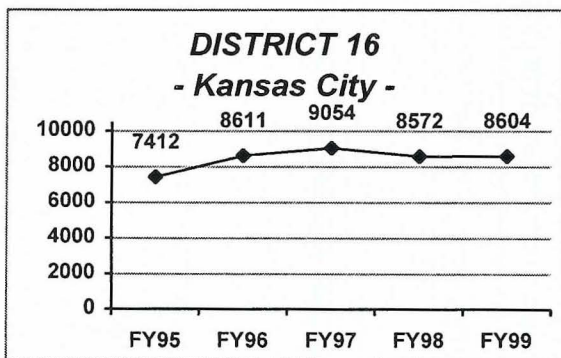
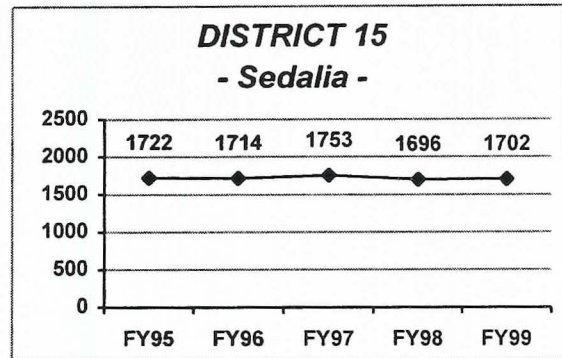
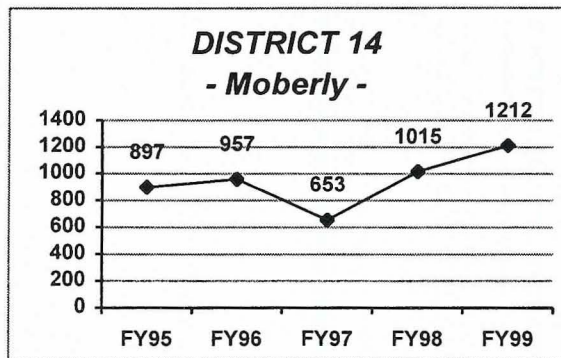


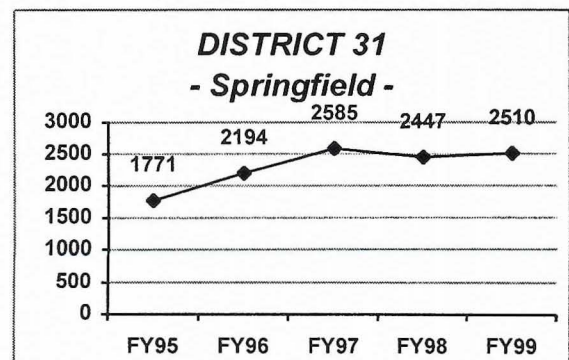
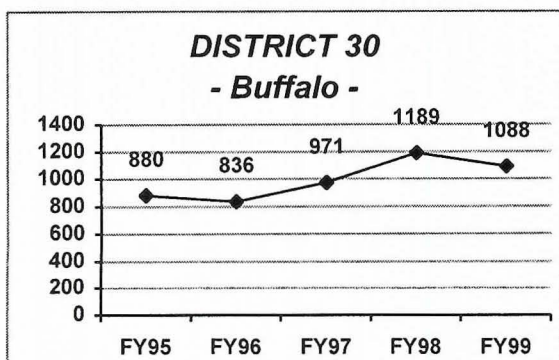
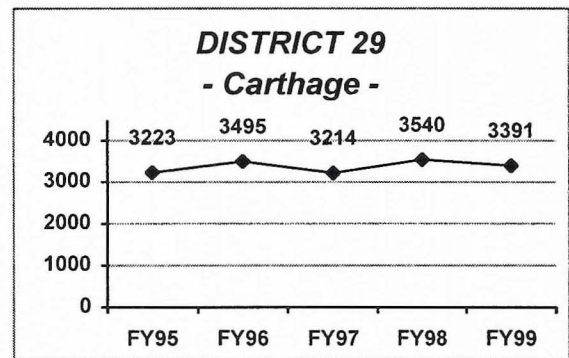
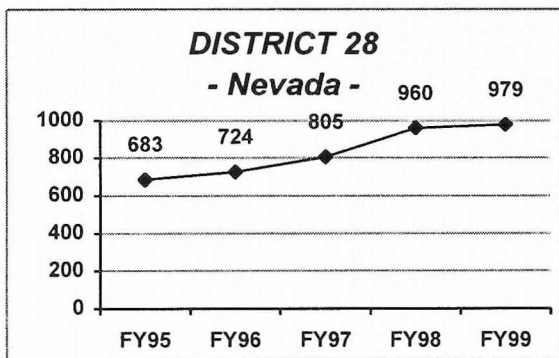
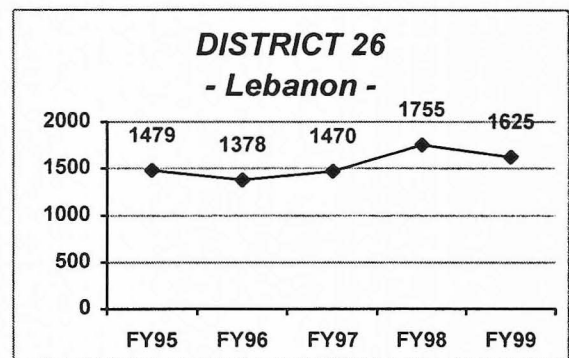
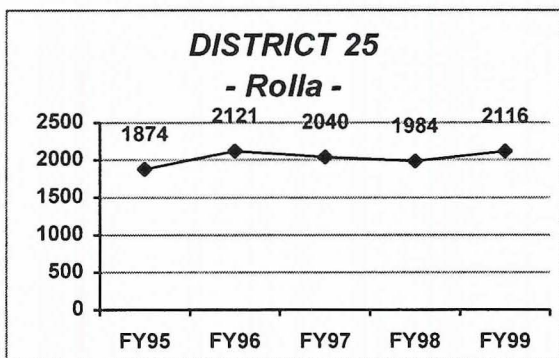
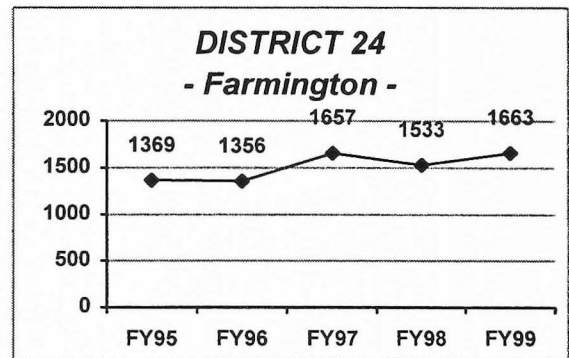
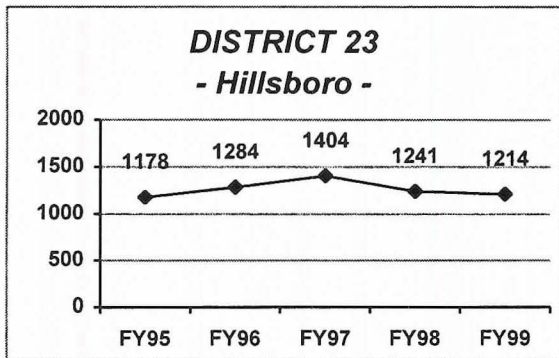


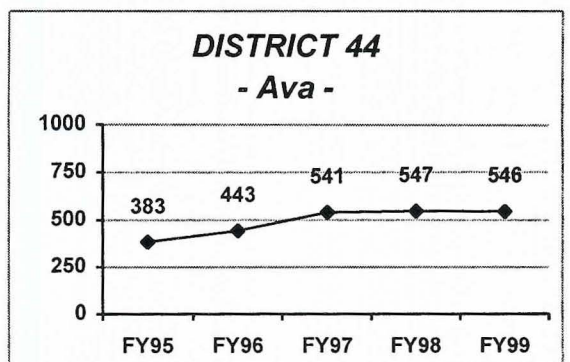
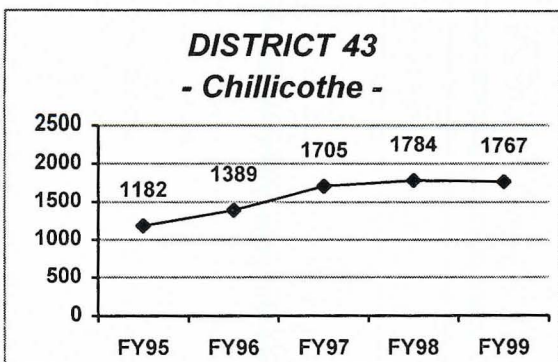
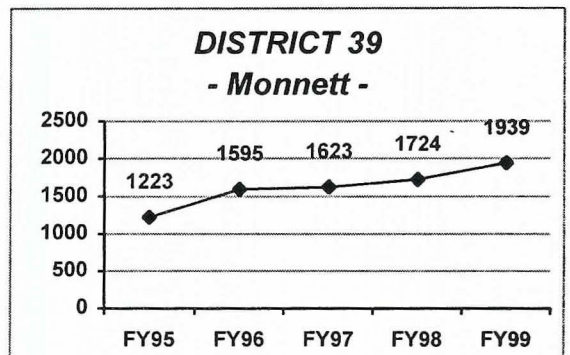
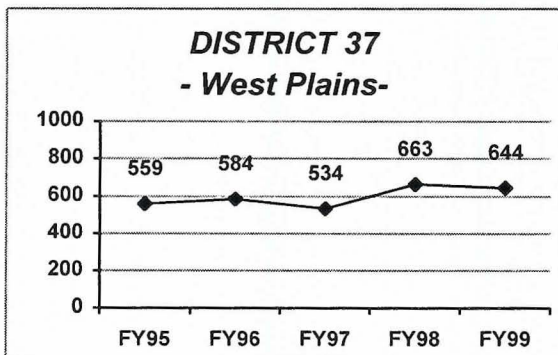
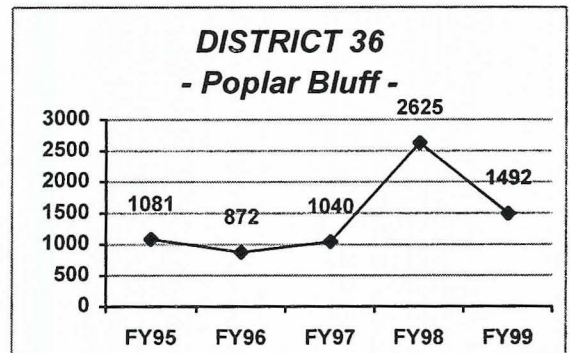
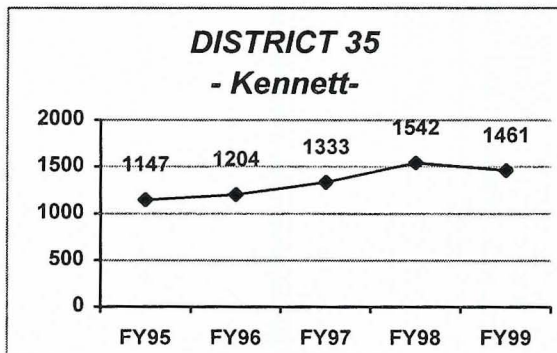
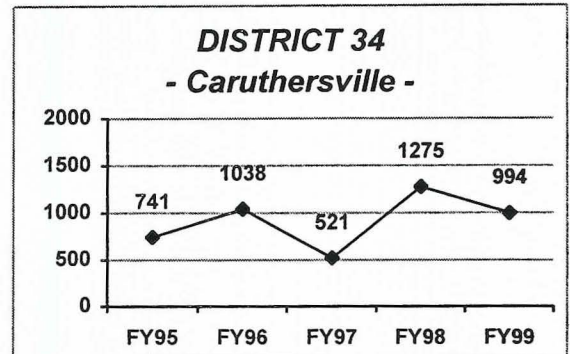
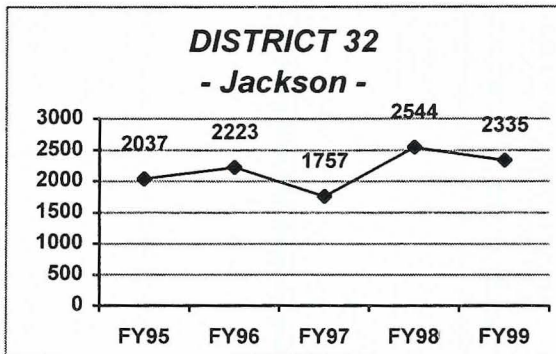


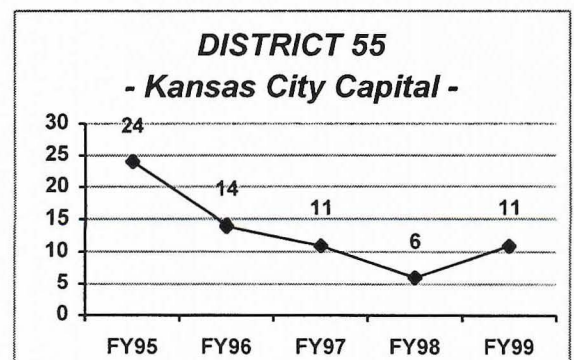
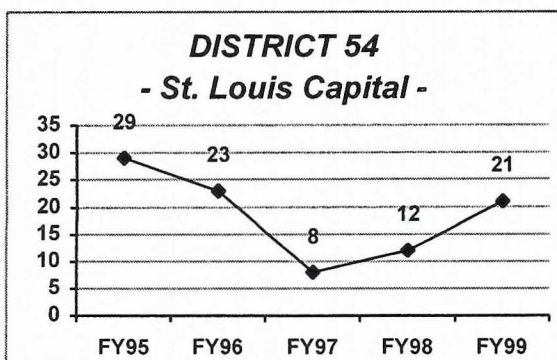
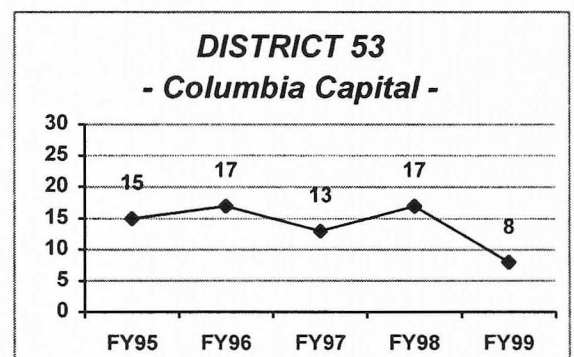
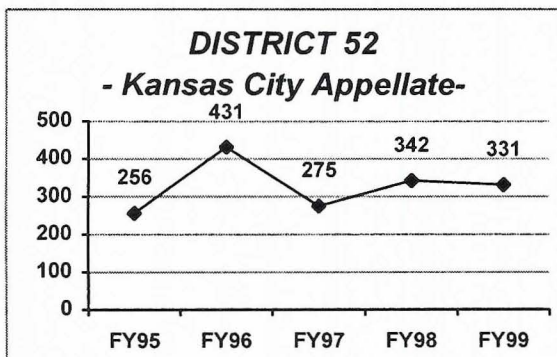
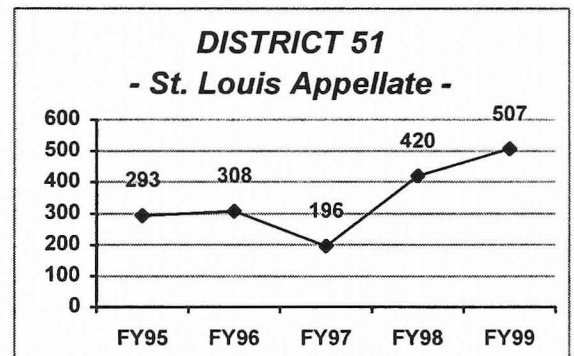
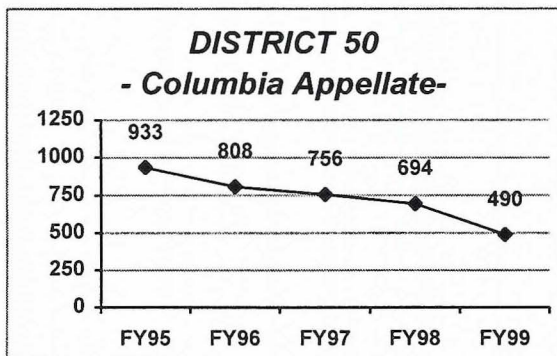
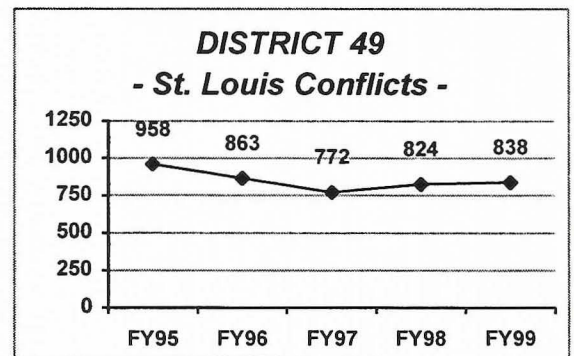
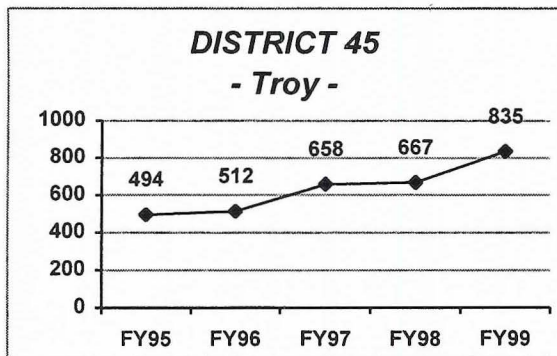
Closed Caseload By District FY95 – FY99











Cases Closed

Cost of Cases Closed

The average cost of All cases assigned to the State Public Defender system (including Death Penalty Representation) in Fiscal Year 1999 was \$282.57. The Trial Division average was \$206.02. These both compare very favorably to the last computed average under the old appointed counsel system of \$390 per case in 1981.

FISCAL YEAR 1999 – TRIAL DIVISION COSTS PER CASE

District	Location	Current District Defender	Total Costs For District	FY99 Cases Assigned	Cost Per Assignment	FY99 Cases Disposed	Cost Per Disposition
1	Juvenile	Cathy DiTraglia	\$565,915	1919	\$294.90	1412	\$400.79
2	Kirkville	Brendan Maturen	\$136,186	423	\$321.95	429	\$317.45
4	Maryville	Jeff Stephens	\$147,041	535	\$274.84	583	\$252.22
5	St. Joseph	Anthony Cardarella	\$367,851	2169	\$169.59	2076	\$177.19
7	Liberty	Katherine Ladesh	\$524,767	3103	\$169.12	3023	\$173.59
10	Hannibal	Raymond Legg	\$238,704	998	\$239.18	1019	\$234.25
11	St. Charles	Christine Sullivan	\$447,257	1866	\$239.69	1913	\$233.80
12	Fulton	Michael Hamilton	\$271,084	1540	\$176.03	1586	\$170.92
13	Columbia	Robert Fleming	\$475,034	3843	\$123.61	4041	\$117.55
14	Moberly	Thomas Marshall	\$226,438	1184	\$191.25	1212	\$186.83
15	Sedalia	Kathleen Brown	\$336,617	1586	\$212.24	1702	\$197.78
16	Kansas City	Joel Elmer	\$1,568,107	8962	\$174.97	8604	\$182.25
17	Harrisonville	Chase Higinbotham	\$301,961	2819	\$107.12	2907	\$103.87
19	Jefferson City	Jan King	\$250,213	1339	\$186.87	1378	\$181.58
20	Union	Lisa Preddy Crane	\$197,782	1399	\$141.37	1447	\$136.68
21	St. Louis County	Shawn Goulet	\$1,307,956	4138	\$316.08	4651	\$281.22
22	St. Louis City	Jerry Montgomery	\$1,707,063	6711	\$254.37	7777	\$219.50
23	Hillsboro	Lisa Clover	\$220,778	1195	\$184.75	1214	\$181.86
24	Farmington	Renee Murphy	\$310,843	1719	\$180.83	1663	\$186.92
25	Rolla	Charles Hoskins	\$336,337	2132	\$157.76	2116	\$158.95
26	Lebanon	Ruth Schulte	\$301,836	1632	\$184.95	1625	\$185.75
28	Nevada	Joe Zuzal	\$185,543	1007	\$184.25	979	\$189.52
29	Carthage	Larry Maples	\$518,581	3461	\$149.84	3391	\$152.93
30	Buffalo	Dewayne Perry	\$187,019	1076	\$173.81	1088	\$171.89
31	Springfield	Jon Van Arkel	\$463,989	2577	\$180.05	2510	\$184.86
32	Jackson	Kent Hall	\$455,195	2237	\$203.48	2335	\$194.94
34	Caruthersville	Karen Bolton	\$231,994	887	\$261.55	994	\$233.39
35	Kennett	Catherine Rice	\$224,826	1522	\$147.72	1461	\$153.89
36	Poplar Bluff	Wade Schuster	\$258,940	1460	\$177.36	1492	\$173.55
37	West Plains	Donna Anthony	\$186,685	642	\$290.79	644	\$289.88
39	Monnett	Victor Head	\$425,581	1880	\$226.37	1939	\$219.48
43	Chillicothe	David Miller	\$296,097	1702	\$173.97	1767	\$167.57
44	Ava	Vacant Dist. Def	\$159,897	525	\$304.57	546	\$292.85
45	Troy	Brian Zink	\$225,389	816	\$276.21	835	\$269.93
46	Sentencing - GR	Judy Riehl	\$343,562	703	\$488.71		
49	St. Louis Conflicts	Paul Yarns	\$513,501	696	\$737.79	838	\$612.77

*District 49 provides representation in Trial, Appellate and PCR cases.

09/10/99

FISCAL YEAR 1999 – APPELLATE DIVISION COSTS PER CASE

District	Location	Current District Defender	Total Costs For District	FY99 Cases Assigned	Cost Per Assignment	FY99 Cases Disposed	Cost Per Disposition
50	Columbia Appellate	Craig Johnston	\$535,283	304	\$1,760.80	273	\$1,960.74
51	St. Louis Appellate	Douglas Hoff	\$400,960	234	\$1,713.50	249	\$1,610.28
52	Appellate/PCR Western A	Susan Hogan	\$390,191	214	\$1,823.32	147	\$2,654.36
67	PCR Central	Steve Harris	\$659,350	334	\$1,974.10	217	\$3,038.48
68	Appllate/PCR Eastern B	Nancy Vincent	\$491,801	244	\$2,015.58	258	\$1,906.20
69	Appellate/PCR Western B	Andrew Schroeder	\$156,017	202	\$772.36	184	\$847.92

FISCAL YEAR 1999 – CAPITAL DIVISION COSTS PER CASE

District	Location	Current District Defender	Total Costs For District	FY99 Cases Assigned	Cost Per Assignment	FY99 Cases Disposed	Cost Per Disposition
53	Columbia Capital	Kimberly Shaw	\$1,159,634	14	\$82,830.97	10	\$115,963.36
54	St. Louis Capital	Robert Wolfrum	\$1,111,885	22	\$50,540.22	22	\$50,540.22
55	Kansas City Capital	Cynthia Short	\$522,817	12	\$43,568.11	13	\$40,216.71

Cost of the State Public Defender System

HOUSE BILL NO. 1012 89TH GENERAL ASSEMBLY FY99

Section 12.300. To the Office of State Public Defender

For the purpose of funding the Office of the Director

Personal Service **5308/56447** **\$652,529**
Expense & Equipment **5309/56448** **\$157,385**
From General Revenue Fund **\$809,914**

Personal Service **1404/74532** **\$20,214**
Expense & Equipment **1405/74533** **\$2,353**
From Legal Defense and Defender Fund ... **\$22,567**

Total (Not to exceed 20 F.T.E.) **\$832,481**

Section 12.305. To the Office of State Public Defender

For the Purpose of funding death penalty representation

Personal Service **4201/92663** **\$488,412**
Expense & Equipment **4202/92664** ... **\$1,451,064**

For the Purpose of funding local offices

Personal Service **9707/69343** **\$17,650,202**
Expense & Equipment **9708/69344** **\$3,900,828**
From General Revenue Fund **\$23,490,506**

Expense & Equipment **3021/80021**
From Legal Defense and Defender Fund ... **\$49,003**

Total (Not to exceed 507.38 F.T.E.) **\$23,539,509**

Section 12.310. To the Office of State Public Defender

For the purpose of funding all grants and contributions
from the federal government or from any other source
which may be deposited in the State Treasury for the
use of the Office of the State Public Defender

From Federal Funds **4006/90254** **\$125,000**

Section 12.315. To the Office of State Public Defender

For the State Public Defender System

For the Purpose of funding expenses authorized by the
Public Defender Commission as provided by Section
600.090 RSMo

Personal Service **0951/72823** **\$31,762**
Expense & Equipment **7673/63783** **\$706,000**
From Legal Defense and Defender Fund

(Not to exceed 1 F.T.E.) **\$737,762**

Section 12.320. To the Office of State Public Defender

For the State Public Defender System

For the purpose of funding the payment of expenses as
provided by Chapter 600 RSMo associated with the
defense of violent crimes and/or the defense of cases
conflict of interest exists

Expense & Equipment
From General Revenue Fund **8727/67095** .. **\$2,059,850**

Section 12.325. To the Office of State Public Defender

For the State Public Defender System

For the payment of refunds set-off against debts as
required by Section 143.796 RSMo
From Debt Offset Escrow Fund (O. F.T.E.)

0753/3023/80023 **\$350,000E**

Section 13.135. To the Office of State Public Defender

For the payment of real property leases, related services
utilities and systems furniture; and structural
modifications for new FTE

From General Revenue Fund
151/4031/90691 **\$558,097**

..... **\$28,202,699**

August 1999

Missouri State Public Defender System

	Murder 1st	Other Homicide	Murder + Felony		Misdemeanor	Juvenile	PCR	Other	Probation		Total	Total	Disposed/
			Felony	Caseload					Violations	Appeals	Assigned	Disposed	Assigned Ratio
FY04 PROJECTION	199	165	36,424	36,788	34,030	5,452	1,150	79	25,411	1,076	103,986	101,988	0.9808
FY03 PROJECTION	195	151	34,775	35,121	31,660	5,284	1,069	85	22,710	1,016	96,945	95,778	0.9880
FY02 PROJECTION	192	139	33,200	33,531	29,456	5,112	993	91	20,296	960	90,439	89,946	0.9945
FY01 PROJECTION	189	128	31,697	32,014	27,405	4,946	923	97	18,139	907	84,431	84,469	1.0005
FY00 PROJECTION	185	118	30,262	30,565	25,496	4,785	858	104	16,211	856	78,875	79,325	1.0057
FY99 ACTUAL	182	108	28,892	29,182	23,721	4,629	797	112	14,488	809	73,738	74,570	1.0113
FY98 ACTUAL	196	87	31,591	31,874	24,676	4,270	674	138	14,141	689	76,462	74,495	0.9743
FY97 ACTUAL	169	79	29,663	29,911	21,912	4,075	513	156	13,437	839	70,843	67,870	0.9580
FY96 ACTUAL	175	88	30,198	30,461	23,069	3,612	707	178	11,444	1,038	70,509	70,664	1.0022
FY95 ACTUAL	256	109	27,688	28,053	17,696	3,916	719	165	9,362	1,138	61,049	61,710	1.0108
FY94 ACTUAL	255	152	25,338	25,745	17,852	3,374	682	201	8,225	1,017	57,096	52,453	0.9187
FY93 ACTUAL	301	136	24,402	24,839	15,883	3,146	766	249	7,301	872	53,056	52,363	0.9869
FY92 ACTUAL	282	37	25,458	25,777	19,974	3,372	1,129	167	5,321	569	56,309	55,651	0.9883
FY91 ACTUAL	193	63	21,304	21,560	13,941	2,713	588	169	5,051	820	44,842	49,038	1.0936
FY90 ACTUAL	227	109	23,336	23,672	14,627	3,300	732	369	5,834	1,094	49,628	46,425	0.9355
FY89 ACTUAL	193	149	20,838	21,180	12,902	3,298	1,342	418	5,074	1,243	45,457	42,532	0.9357
FY88 ACTUAL	202	161	20,640	21,003	12,427	3,455	1,006	470	4,475	920	43,756	40,117	0.9168
FY87 ACTUAL	199	145	19,254	19,598	11,736	3,564	755	443	4,308	728	41,132	37,081	0.9015
FY86 ACTUAL	166	175	17,042	17,383	10,602	3,328	612	611	3,815	608	36,959	34,491	0.9332
FY85 ACTUAL	152	172	15,397	15,721	9,126	3,500	543	522	3,293	632	33,337	32,410	0.9722
FY84 ACTUAL	176	175	15,048	15,399	9,256	3,058	534	499	2,878	506	32,130	31,730	0.9876

Case Activity

In addition to the number of cases, the disposition of those cases once in the court system has a dramatic impact on the workload of Missouri's Public Defenders. Although, the smallest in number, cases going to trial place the highest demand on an attorney's time. Several hours of pretrial preparation, hearings and motions are required for each hour actually spent in trial. Many cases do not require a trial for disposition but are disposed of only after a court hearing before the judge. These cases can include juvenile hearing, probation revocations hearings and preliminary hearings which also require considerable research and preparation before the actual court appearance.

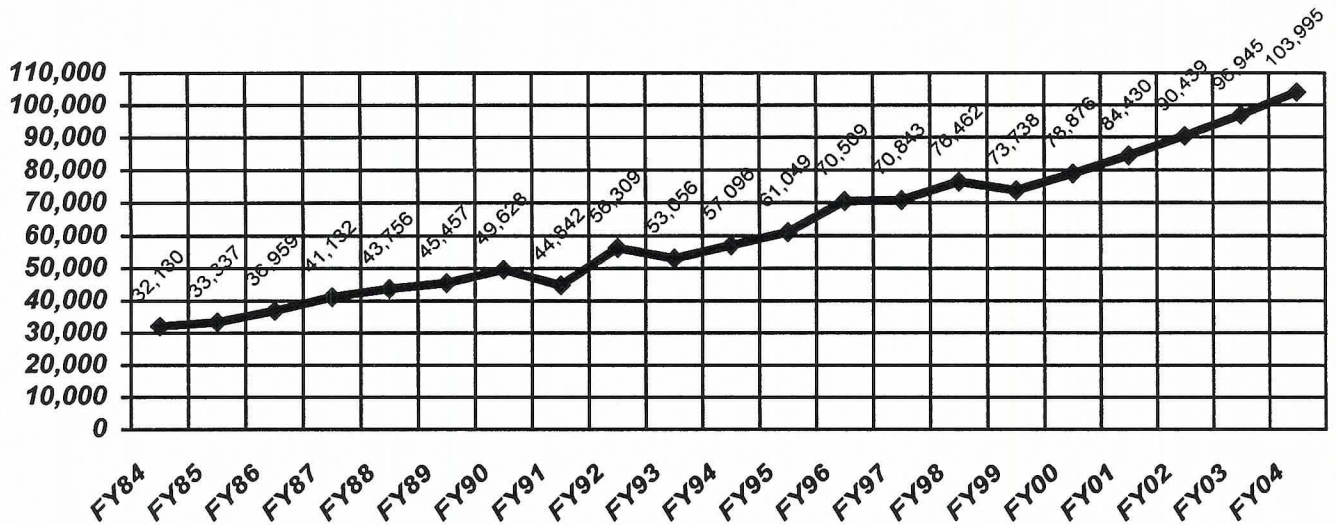
Other dispositions, such as guilty pleas, dismissals and withdrawals, also place a crushing time burden on Missouri's Public Defenders. Some individual cases may require very little attorney time before the case is disposed of by plea or other disposition. Some cases require considerable preparation, investigation and negotiation before the case can be disposed of by plea or dismissal. In either event, the sheer volume of cases places an extreme demand on the time of Missouri's Public Defenders and support staff.

FY99 Trial Division Closed Cases by Disposition Type		
	Description	# of Cases
01	Withdrawn	7,439
02	Dismissed/Withdrawn	12,050
03	NGRI	56
04	Guilty Plea	36,139
05	Court Trial	437
06	Jury Trial	473
10	Juvenile Hearing	960
11	Certification Hearing	80
12	Juvenile Informal Hearing	227
15	PCR No Hearing & PCR Hearings	21
20	Chapter 552	75
25	Probation Violation Hearing	11,843
30	Granted and Denied Writs	23
35	Appeal Decision	17
41	Conflict Transfer	2,313
42	Conflict Assignment	403
50	Capias Warrant > than 1 year	641
	Total Trial Division Closed Cases	73,197

Caseload Increase

An analysis of the caseload of the State Public Defender System shows a continued increase. In FY98, the State Public Defender System handled 73,738 newly assigned cases. The projection for FY2000 is 78,875 and for FY2001 is 84,431. By Fiscal Year 2004, it is projected that the State Public Defender System will be responsible for representation in over 103,000 criminal cases.

Public Defender Caseload Analysis



Legislative Recommendations

When the Missouri State Public Defender System was established, the burden and expense of office space and utility services for local public defender offices was placed on the counties served by that office. That burden remains today in the form of RSMo. 600.040.1 which reads:

The city or county shall provide office space and utility services, other than telephone service, for the circuit or regional public defender and his personnel. If there is more than one county in a circuit or region, each county shall contribute, on the basis of population, its pro rata share of the costs of office space and utility services, other than telephone service. The state shall pay, within the limits of the appropriation therefore, all other expenses and costs of the state public defender system authorized under this chapter.

Some county governments have objected to and resent being required to pay for office space for a Department of State Government.

When the Missouri State Public Defender System was first established and RSMo. 600.040.1 was first enacted, public defender services in most areas of the state were provided through private attorneys who had contracted with Missouri's Public Defender System to provide such services. Since these private contract counsel provided services from their private offices, county governments did not have to provide office space and utilities.

In 1989, a major reorganization of the state public defender system did away with the private contract counsel system. In fiscal years 1990 and 1991, the Missouri State Public Defender System greatly expanded its number of local offices and replaced the previous contract system in its entirety. Although this reorganization greatly changed the number of local offices, the manner of funding office rent and utilities for these offices was not changed.

In 1997, the legislature responded to the refusal of some counties to provide or pay for Public Defender office space. Language was added to House Bill 5, allowing for the interception of prisoner per diem payments to counties failing to meet their obligations under 600.040. The state has intercepted some money intended for counties that scoffed at their obligation, however, the interceptions and threat of interceptions have put great strain on state-county relations.

In 1999, the legislature once again addressed the problem of providing Public Defender office space. A new section, (RSMo. 600.101), was added which allows disputes between counties and the State Public Defender to be submitted to the Judicial Finance Commission (RSMo. 477.600). Section 600.101 also calls for a study and report from the Judicial Resources Commission to be prepared for the chairs of the House and Senate Judiciary Committees, Senate Appropriations Committee, and House Budget Committee.

Today, some county governments provide public defender office space in county courthouses or other county facilities, some counties rent office space and pay their pro rata share of that rent as required by statute. Some counties, strapped for office space for their own county officials, provide woefully inadequate space in county facilities. Some county governments provide no office space at all and refuse to provide rented office space outside county facilities.

Disputes between counties and the Department of State Public Defender have expanded beyond the statutory obligation. Disputes have not only concerned whether or not office space will be provided at all, they have included *where* and *what* space will be provided.

Either because of economic necessity or in passive resistance to their obligation, some counties house the Public Defender in woefully inadequate facilities. Public Defenders have endured the indignities of insect infestation, lack of privacy, leaky roofs, and cramped quarters, to name a few.

Counties simply have no interest in the adequacy of the Public Defender facilities, especially when they don't want to provide space at all. The State Public Defender is not interested in securing fancy, luxurious offices. It's interest is to have facilities adequate to ensure efficient, effective use of personnel and other resources appropriated to the Department.

Most Public Defender districts are multi-county. Since the current statute requires each county to pay their pro rata share, inter-county cooperation is essential. It is not always forthcoming.

Although establishment of Public Defender offices is the authority of the State Public Defender Commission, (RSMo. 600.023), counties have sought to provide office space at the location of their choice; typically their own county. They have refused to pay their pro rata share to the host county when they are unhappy with the office location. On at least one occasion, these county disputes have risen to the point of lawsuits being filed.

The State Public Defender Commission is interested in locating offices in multi-county Districts where they will be the most effective and efficient use of state resources. Counties do not share that interest, preferring the office to be located where it will cost the least and have the most positive economic impact on their local economy, efficiency and the desires of other counties and the State Public Defender notwithstanding.

In summary, the current statutory scheme requires counties to cooperate with each other, and with this Department, to provide office space for a Department of State Government. They do so under the threat of prisoner per diem interceptions. It is a formula for conflict between the State Public Defender and counties, as well as between counties of multi-county districts.

The problem is sure to get worse in the future. Projecting a conservative 8% increase in caseload, Missouri's Public Defender System will handle over 100,000 cases by 2004. Moreover, a three year trend shows public defender caseload is decreasing in city offices, while it is up sharply in nearly all multi-county districts. More cases will mean more personnel. Under the current statute, Missouri's Public Defender Commission is unable to establish and/or expand offices as needed, where needed.

In summary, the physical plant of local public defender offices varies greatly, depending upon the ability and/or willingness of local county governments to provide office space. Some public defender offices have adequate space, which greatly enhances their efficiency. Other offices have woefully inadequate space and their ability to effectively and efficiently accomplish their mission is greatly reduced. Under the current statute, the administration can do little to ensure the adequacy and uniformity of office space in local public defender offices.

A change in the legislation, specifically repealing portions of RSMo. 600.040.1, is recommended. Although probably adequate at the time the public defender system was first organized, this Department has grown far beyond its humble beginnings and the original intent of RSMo. 600.040.1.

The legislature, judiciary and public demand a swift, efficient administration of justice. In order to meet that demand, the Missouri Public Defender System needs adequate, efficient physical plants in all its offices. This need is simply not being met under the current statutory scheme.

Alternative Sentencing Program

The primary objective of the Public Defender Alternative Sentencing Program is to reduce the inappropriate incarceration of individuals in Missouri's overcrowded prisons. Creative sentencing, for inmates who would not be a threat to society, could result in a community punishment rather than joining the ranks of the rising prison population. These plans incorporate such elements as supervision, employment, community services, mental and medical treatment components and payments of restitution.

FY99 Alternative Sentencing Caseload Statistics	
Description	# of Cases
Sentencing with Full Alternative Sentencing Plan	236
Referrals – Treatment Placements	111
Inactive Dispositions	145
Mitigation Reports	29
Rejected Referrals	65
Deferred Cases to FY2000	117
Total FY99 Alternative Sentencing Caseload	703

Of the 236 complete Alternative Sentencing Plans written the following types of clients were served. Many clients fell into several breakdown categories.

Alternative Sentencing Client Profile Breakdown	
Description	# of Cases
Mentally Ill	27%
Mentally Retarded	16%
Learning Disabled	15%
Serious Health Issues – Such as HIV/AIDS, cancer, head injured, etc	15%
Homeless	11%
Substance Addicted	98%
No High School Diploma or GED	56%

Alternative Sentencing Client Profiles

To assure client confidentiality, the following are composite profiles representative of typical alternative sentencing clients served by the program.

Sam

Sam, a fifty four year old man, was charged with Burglary, after he had broken into a garage and the owner found Sam, along with several of the owner's tools in Sam's bag, asleep in the backyard of the garage. Sam told his attorney he had no place to live and thought he could do odd jobs if he had some tools. He couldn't remember much about himself, or even where his son now lived. He was referred to the alternative sentencing program by his attorney because she believed Sam was having memory problems.

A record search revealed that Sam had suffered a traumatic brain injury three years earlier and that had caused significant cognitive difficulties, including memory problems. Sam was referred to a head injury rehabilitation program for assessment and treatment recommendations. Now, Sam attends a day program for head injured individuals and has a permanent place to sleep in a group home.

Laura

Laura, a thirty two year old woman, was facing prison after being charged with Forgery. She was already on probation for drug possession and had recently relapsed. Laura's attorney referred her to alternative sentencing because Laura was HIV positive and the sole caretaker of her seven year old daughter. Life seemed pretty hopeless for Laura, whose childhood had left permanent scars on her face and back from repeated physical abuse. Alternative sentencing first found placement for Laura in a long term residential drug treatment program for women that provided housing for women and their children and then developed an aftercare plan for Laura. The plan included case management and housing services from an AIDS organization and a worker re-entry program for displaced homemakers. Laura is currently drug free and establishing a permanent home for her daughter.

**STATE
PUBLIC DEFENDER
SYSTEM**

Effective 11/01/98 Trial Division Coverage for Johnson County was transferred from District 15 to District 17.

MISSOURI STATE PUBLIC DEFENDER SYSTEM

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